FEDERAL REGISTER

VOLUME 24 NUMBER 232

Washington, Saturday, November 28, 1959

Title 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

SUBCHAPTER B—FEDERAL FARM LOAN SYSTEM

PART 10—FEDERAL LAND BANKS GENERALLY

Interest Rates on Loans Made Through Associations

The interest rate on loans made through national farm loan associations by two of the Federal land banks has been increased from 5½ to 6 percent per annum, as follows: By the Federal Land Bank of Houston on applications reinstated or received on and after November 23, 1959; and by the Federal Land Bank of Louisville on applications properly executed or filed on and after December 1, 1959. In order to reflect such changes, § 10.41 of Title 6 of the Code of Federal Regulations, as amended (1959 Supp.; 24 F.R. 845, 2267, 3181, 3559, 4296, 5329, 6256, 7894, 8628, 8898), is amended by substituting "6" for "5½" in the lines with "Houston" and "Louisville" therein.

(Sec. 6, 47 Stat. 14, as amended; 12 U.S.C. 665. Interprets or applies secs. 12 "Second", 17(b), 39 Stat. 370, 375, as amended; 12 U.S.C. 771 "Second", 831(b))

HAROLD T. MASON,
Acting Governor,
Farm Credit Administration.

[F.R. Doc. 59-10038; Filed, Nov. 27, 1959; 8:45 a.m.]

Title 30—MINERAL RESOURCES

Chapter II—Geological Survey, Department of the Interior

PART 250—OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF

Extension of Leases by Drilling or Well Reworking Operations

On pages 7460 and 7461 of the FEDERAL REGISTER of September 16, 1959, there was published a notice of proposed rule making, to add a new § 250.34a, to 30 CFR Part 250, providing for extension of leases by drilling or well reworking operations. Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed new section. Comments have been received and considered. The new section is hereby adopted without change and is set forth below. This section shall become effective at the beginning of the calendar day on which it is published in the FEDERAL REGISTER.

Dated: November 24, 1959.

ELMER F. BENNETT,
Secretary of the Interior.

Section 250.34a, a new section, is added to Part 250, to read as follows:

§ 250.34a Extension of leases by drilling or well reworking.

(a) The Secretary shall be deemed to have approved, within the meaning of section 8(b)(2) of the Outer Continental Shelf Lands Act, drilling or well reworking operations, conducted on the leased area in the following instances:

(1) If, after discovery of oil or gas in paying quantities has been made on the leasehold, and within 90 days prior to expiration of the five-year term or any extension thereof, or thereafter, the production thereof shall cease at any time, or from time to time, from any cause and production is restored or drilling or well reworking operations are commenced within 90 days thereafter, and such drilling or well reworking operations (whether on the same or different wells) are prosecuted diligently until production is restored in paying quantities.

(2) If, within 90 days prior to expiration of the five-year term or any extension thereof, or thereafter, at any time, or from time to time, lessee is engaged in drilling or well reworking operations on the leasehold and there is no well on the leasehold capable of producing in paying quantities and the lessee diligently prosecutes such operations (whether on the same or different wells) with no cessation of more than 90 days.

(Continued on next page)

CONTENTS

FEDERAL REGISTER

REpublic 7-7500 Extension 3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

A Cumulative Codification Guide covering the current month appears at the end of each issue beginning with the second issue of the month.

(b) The Secretary may approve such other operations for drilling or reworking upon application of lessee.

(c) Nothing in this section obviates the necessity of obtaining the Supervisor's approval of a plan or notice of intention to drill or of complying with the other provisions of this part.

[F.R. Doc. 59-10032; Filed, Nov. 27, 1959; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

SUBCHAPTER L—MINERAL LANDS

[Circular 2030]

PART 193—COAL LEASES, PERMITS, AND LICENSES

Miscellaneous Amendments

On pages 6954 and 6955 of the FEDERAL REGISTER of August 27, 1959, there was published as proposed rule making a proposed amendment of the regulations applicable to coal permits and leases. The

proposed amendments would change §§193.2, 193.3(b), 193.11(a)(3) and 193.18. Interested parties were given 30 days within which to submit written comments and suggestions with respect to the proposed amendments.

As the result of the only comment received within the 30-day period, the proposed amendments are hereby adopted with a change in § 193.18(b), and are set forth below.

These amended regulations become effective at the beginning of the calendar day on which they are published in the FEDERAL REGISTER.

FRED A. SEATON,
Secretary of the Interior.

NOVEMBER 20, 1959.

1. Section 193.2 is amended to read as follows:

§ 193.2 Area and limitation on holdings; segregation of coal deposits; public hearings.

(a) A single lease or permit may embrace not exceeding 2,560 acres except where the rule of approximation applies. A permit will comprise contiguous tracts, or tracts in reasonably compact form if good reason appears for not including a contiguous area. A lease will comprise contiguous tracts, except in cases where it appears that noncontiguous tracts can be practically worked as a single mine or unit. No person, association or corporation may hold at any one time, either directly or indirectly, leases or permits exceeding 10,240 acres in any one State, except as hereinafter stated.

(b) A person, association, or corporation may file with the Manager of the appropriate land office an application or applications for coal leases or permits for acreage in addition to the 10,240 acres, which application or applications shall be in multiples of 40 acres, not exceeding a total of 5,120 additional acres in any one State, and shall contain a statement that the granting of a lease or permit for such additional lands is necessary to carry on business economically and is in the public interest.

(c) Upon the filing of an application for additional lands as specified in paragraph (b) of this section, the coal deposits in the lands covered thereby shall be temporarily set aside and withdrawn from all forms of disposal under the Act.

(d) All applications filed for additional lands as specified in paragraph (b) of this section shall be posted in the appropriate land office, and the authorized officer shall conduct public hearings thereon. Upon conclusion thereof, he may, in his discretion or whenever sufficient public interest is manifested, reevaluate the lessee's or permittee's need for all or any part of the additional acreage. Thereafter and to the extent necessary for the applicant to carry on business economically, the authorized officer may issue coal leases or permits to the applicant for additional acreage of not more than 5,120 acres (within the aggregate limitation of 2,560 acres in a single lease or permit), subject to such terms and conditions as may be prescribed by the Secretary of the Interior. Such terms and conditions may require the payment either of a cash bonus per acre or fraction thereof or a rental and royalty rate different from that required by the original leases or permits or both.

2. Paragraph (b) of § 193.3 is amended to read as follows:

§ 193.3 Qualifications of applicants.

* * * * *

(b) Every applicant for coal permit or lease, other than a company or corporation operating a common-carrier railroad, must show that, with the area applied for, his or its interest or interests in such permits, leases and applications therefor, directly or indirectly, do not exceed in the aggregate 10,240 acres in any one State.

3. Paragraph (a)(3) of § 193.11 is amended to read as follows:

§ 193.11 Application for lease.

(a) * * *

(3) A statement of the interests, direct or indirect, in other coal leases, permits or applications therefor on public lands in the State in which the lease is desired, identifying same by land office and serial number, and that such interests, when added to the acreage covered by the application, do not exceed in the aggregate 10,240 acres in the State. A railroad company or corporation operating a common carrier must state that its interests, together with the acreage covered by the application, do not exceed in the aggregate 10,240 acres.

4. Section 193.18 is amended by designating the text thereof paragraph (a), changing the title of the section, and adding new paragraph (b) to read as follows:

§ 193.18 Cancellation of lease generally; cancellation of lease or permit issued pursuant to § 193.2(d).

* * * * *

(b) A lease or permit issued pursuant to § 193.2(d) may be canceled by the authorized officer, if the cancellation is in the public interest or the coal deposits in the lands covered thereby are no longer necessary for the lessee or permittee to carry on business economically or if the lessee or permittee has divested himself of all or any part of the original 10,240 acres or no longer has facilities for the exploitation of the deposits under lease or permit. However, such lessee or permittee will be given notice of the proposed cancellation and afforded an opportunity of submitting evidence showing why the lease or permit should not be canceled.

[F.R. Doc. 59-10027; Filed, Nov. 27, 1959; 8:46 a.m.]

[Circular 2031]

PART 201—MINERAL DEPOSITS IN THE OUTER CONTINENTAL SHELF

Extension of Leases by Drilling or Well Reworking Operations

On pages 7460 and 7461 of the FEDERAL REGISTER of September 16, 1959, there was published a notice of proposed rule making, to add a new § 201.20a, to 43 CFR Part 201, providing for extension of leases by drilling or well reworking operations. Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed new section. Comments have been received and considered. The new section is hereby adopted without change and is set forth below. This section shall become effective at the beginning of the calendar day on which it is published in the FEDERAL REGISTER.

Dated: November 24, 1959.

ELMER F. BENNETT,
Acting Secretary of the Interior.

Section 201.20a, a new section, is added to Part 201, to read as follows:

§ 201.20a Extension of leases by drilling or well reworking operations.

(a) The Secretary shall be deemed to have approved, within the meaning of section 8(b)(2) of the Outer Continental Shelf Lands Act, drilling or well reworking operations, conducted on the leased area in the following instances:

(1) If, after discovery of oil or gas in paying quantities has been made on the leasehold, and within 90 days prior to expiration of the five-year term or any extension thereof, or thereafter, the production thereof shall cease at any time, or from time to time, from any cause and production is restored or drilling or well reworking operations are commenced within 90 days thereafter, and such drilling or well reworking operations (whether on the same or different wells) are prosecuted diligently until production is restored in paying quantities.

(2) If, within 90 days prior to expiration of the five-year term or any extension thereof, or thereafter, at any time, or from time to time, lessee is engaged in drilling or well reworking operations on the leasehold and there is no well on the leasehold capable of producing in paying quantities and the lessee diligently prosecutes such operations (whether on the same or different wells) with no cessation of more than 90 days.

(b) The Secretary may approve such other operations for drilling or reworking upon application of lessee.

(c) Nothing in this section obviates the necessity of obtaining the Oil and Gas Supervisor's approval of a plan or notice of intention to drill or of complying with the other provisions of 30 CFR Part 250.

[F.R. Doc. 59-10033; Filed, Nov. 27, 1959; 8:47 a.m.]

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2018]

[Colorado 016678]

COLORADO

Withdrawing Public Lands for Use in Connection With Shadow Mountain National Recreation Area

Correction

In F.R. Doc. 59-9874, appearing at page 9389 for the issue of Saturday, November 21, 1959, that part of the land description under item b., now reading "Sec. 4, SE¼.", should read "*Sec. 4, SE¼."

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, and Marketing Practices), Department of Agriculture

SUBCHAPTER A—COMMODITY STANDARDS AND STANDARD CONTAINER REGULATIONS

PART 29—TOBACCO INSPECTION

Subpart C—Standards

FIRE-CURED TOBACCO

A notice of proposed rulemaking covering a modification of United States Official Standard Grades for Fire-Cured Tobacco, Type 21, was published in the FEDERAL REGISTER of November 5, 1959 (24 F.R. 9014), and afforded interested persons the opportunity to submit written data, views, or arguments in connection therewith. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice of rulemaking, the following United States Official Standard Grades for Fire-Cured Tobacco, Type 21, are hereby promulgated under the authority contained in the Tobacco Inspection Act (49 Stat. 731; 7 U.S.C. 511 et seq.) to become effective upon publication in the FEDERAL REGISTER.

It is hereby found that good cause exists for making the official standard grades effective upon publication in the FEDERAL REGISTER for the reason that the Type 21 fire-cured tobacco markets open November 30, 1959, for sales of the 1959 crop, which date is less than 15 days of the date hereof, and it is necessary that the official grades be effective on such date for utilization in the official inspection of such tobacco sold at auction. Furthermore, the earliest possible effective date will be of benefit to the industry and to the inspection service in order that greater time will be afforded for the study of such official standards to assure uniform application.

These standards are the same as published under the proposed rulemaking; except that in § 29.2261 the words "A subdegree" have been substituted for "The lowest degree" and in the second sentence of § 29.2356 after the word "made" the words "not more than six inches from the top of the package and one * * *" have been inserted.

The official standard grades are as follows:

1. Delete "21" in the heading under Subpart C of Part 29 immediately preceding § 29.201 and delete § 29.256.

2. Insert in Subpart C of Part 29 immediately after § 29.1225 the following:

OFFICIAL STANDARD GRADES FOR FIRE-CURED TOBACCO (U.S. TYPE 21)

DEFINITIONS

ELEMENTS OF QUALITY

RULES

GRADES

SUMMARY OF STANDARD GRADES

KEY TO STANDARD GRADEMARKS

OFFICIAL STANDARD GRADES FOR FIRE-CURED TOBACCO (U.S. TYPE 21)

DEFINITIONS

§ 29.2251 Definitions.

As used in these standards, the words and phrases hereinafter defined shall have the indicated meanings so assigned.

§ 29.2252 Air-dried.

The condition of unfermented tobacco as customarily prepared for storage under natural atmospheric conditions.

§ 29.2253 Body.

The thickness and density of a leaf or the weight per unit of surface. (See Elements of quality.)

§ 29.2254 Brown colors.

A group of colors ranging from a reddish brown to yellowish brown. These colors vary from low to medium saturation and from very low to medium brilliance. As used in these standards, the range is expressed as light brown (L), medium brown (F), and dark brown (D).

§ 29.2255 Class.

A major division of tobacco based on method of cure or principal usage.

§ 29.2256 Clean.

Tobacco is described as clean when it contains only a normal amount of sand or soil particles. Leaves grown on the lower portion of the stalk normally contain more dirt or sand than those from higher stalk positions. (See rule 4.)

§ 29.2257 Color.

The third factor of a grade based on the relative hues, saturation or chroma, and color values common to the type.

§ 29.2258 Color intensity.

The varying degree of saturation or chroma. Color intensity as applied to tobacco describes the strength or weakness of a specific color or hue. It is applicable to all colors except variegated and green. (See Elements of quality.)

§ 29.2259 Color symbols.

As applied to Type 21, Fire-cured tobacco, color symbols are L—light brown, F—medium brown, D—dark brown, K—variegated, M—mixed, and G—green.

§ 29.2260 Condition.

The state of tobacco which results from the method of preparation or from the degree of fermentation. Words used to describe the condition of tobacco are as follows: Undried, air-dried, steam-dried, sweating, sweated, and aged.

§ 29.2261 Crude.

A subdegree of maturity. Crude leaves are usually hard and slick as a result of extreme immaturity. A similar condition may result from firekill, sunburn, or sunscald. Any leaf which is crude to the extent of 20 percent or more or has a positive green color affecting 50 percent or more of its leaf surface may be described as crude. (See rule 20.)

§ 29.2262 Cured.

Tobacco dried of its sap by either natural or artificial processes.

§ 29.2263 Damage.

The effect of mold, must, rot, black rot, or other fungous or bacterial diseases which attack tobacco in its cured state. Tobacco having the odor of mold, must, or rot is considered damaged. (See rule 21.)

§ 29.2264 Dirty.

The state of tobacco containing an abnormal amount of dirt or sand, or tobacco to which additional quantities of dirt or sand have been added. (See rule 23.)

§ 29.2265 Elements of quality.

Elements of quality and the degrees used in the specifications of the official standard grades of Fire-cured, Type 21, are shown in § 29.2351. Words have been selected to describe the degrees of each element. Some of the words are almost synonymous in their meaning, yet, they are sufficiently different to represent steps within the range of the elements of quality to which they are applied.

§ 29.2266 Fiber.

The term applied to the veins in a tobacco leaf. The large central vein is called the midrib or stem. The smaller lateral and cross veins are considered from the standpoint of size and color and in some types are treated as elements of quality. In Fire-cured, fiber size and color are not of great importance, except where a fine distinction must be made between several lots of high quality or between sides of the same lot.

§ 29.2267 Finish.

The reflectance factor in color perception. Finish indicates the sheen or shine of the surface of a tobacco leaf. Descriptive terms range from bright to dingy. (See Elements of quality.)

§ 29.2268 Fire-cured.

Tobacco cured under artificial atmospheric conditions by the use of open fires from which the smoke and fumes of burning wood are partly absorbed by the tobacco.

§ 29.2269 Foreign matter.

Any extraneous substance or material such as stalks, suckers, straw, strings, rubber bands, et cetera. Abnormal amounts of dirt or sand also are included. (See rule 23.)

§ 29.2270 Form.

The stage of preparation of tobacco such as unstemmed or stemmed.

§ 29.2271 Grade.

A subdivision of a type acocrding to group, quality, and color.

§ 29.2272 Grademark.

A grademark normally consists of three symbols which indicate group, quality, and color. A letter is used to indicate group, a number to indicate quality, and a letter or letters to indicate color. For example, B3D means Heavy Leaf, third quality, and dark brown color.

§ 29.2273 Green (G).

A color term applied to immature or crude tobacco. Any leaf which has a green color affecting 20 percent or more of its leaf surface may be described as green. (See rule 19.)

§ 29.2274 Group.

A division of a type covering closely related grades based on certain characteristics which are related to stalk position, body, or the general quality of the tobacco. Groups in Fire-cured, Type 21, are as follows: Wrappers (A), Heavy Leaf (B), Thin Leaf (C), Lugs (X), Nondescript (N), and Scrap (S).

§ 29.2275 Injury.

Hurt or impairment from any cause except the fungous or bacterial diseases which attack tobacco in its cured state. (See definition of Damage.) Injury to tobacco may be caused by field diseases, insects, or weather conditions; insecticides, fungicides, or cell growth inhibitors; nutritional deficiencies or excesses; or improper fertilizing, harvesting, curing, or handling. Injured tobacco includes dead, burnt, hail-cut, torn, broken, frostbitten, sunburned, sunscalded, scorched, fire-killed, bulk-burnt, steam-burnt, barn-burnt, house-burnt, bleached, bruised, discolored, or deformed leaves; or tobacco affected by wildfire, rust, frogeye, mosaic, root rot, wilt, black shank, or other diseases. (See Elements of quality and rule 16.)

§ 29.2276 Leaf scrap.

A by-product of unstemmed tobacco. Leaf scrap results from handling unstemmed tobacco and consists of loose and tangled whole or broken leaves.

§ 29.2277 Leaf structure.

The cell development of a leaf as indicated by its porosity or solidity. (See Elements of quality.)

§ 29.2278 Leaf surface.

The smoothness or roughness of the web or lamina of a tobacco leaf. Leaf surface is affected to some extent by the size and shrinkage of the veins or fibers. (See Elements of quality.)

§ 29.2279 Length.

The linear measurement of cured tobacco leaves from the butt of the midrib to the extreme tip. (See Elements of quality and U.S. Standard Tobacco Sizes.)

§ 29.2280 Lot.

A pile, basket, bulk, or more than one bale, case, hogshead, tierce, package, or other definite package unit.

§ 29.2281 Maturity.

The degree of ripeness. Tobacco is mature when it reaches its prime state of development. The extremes are expressed as immature and mellow. (See Elements of quality.)

§ 29.2282 Mixed color (M).

Distinctly different colors of the type mingled together. (See rule 18.)

§ 29.2283 Nested.

Any tobacco which has been loaded, packed, or arranged to conceal foreign matter or tobacco of inferior grade, quality, or condition. Nested includes: (a) Any lot of tobacco which contains foreign matter or damaged, injured, tangled, or other inferior tobacco, any of which cannot be readily detected upon inspection because of the way the lot is packed or arranged; (b) any lot of tied tobacco which contains foreign matter in the inner portions of the hands or which contains foreign matter in the heads under the tie leaves; (c) any lot of tied tobacco in which the leaves on the outside of the hands are placed or arranged to conceal inferior quality leaves on the inside of the hands or which contains wet tobacco or tobacco of lower quality in the heads under the tie leaves; (d) any lot of tobacco which consists of distinctly different grades, qualities, or conditions and which is stacked or arranged in layers with the same kinds together so that the tobacco in the lower layer or layers is distinctly inferior in grade, quality, or condition from the tobacco in the top or upper layers. (See rule 23.)

§ 29.2284 No grade.

A designation applied to a lot of tobacco which is classified as nested, offtype, rework, semicured, tobacco damaged 20 percent or more, abnormally dirty tobacco, tobacco containing foreign matter, extremely wet or watered tobacco, and tobacco having an odor foreign to the type. (See rule 23.)

§ 29.2285 Offtype.

Tobacco of distinctly different characteristics which cannot be classified as Fire-cured, Type 21. (See rule 23.)

§ 29.2286 Oil.

A soft, semifluid constituent of tobacco. Oil is considered an element of quality in Fire-cured types. (See Elements of quality.)

§ 29.2287 Order (case).

The state of tobacco with respect to its moisture content.

§ 29.2288 Package.

A hogshead, tierce, case, bale, or other securely enclosed parcel or bundle.

§ 29.2289 Packing.

A lot of tobacco consisting of a number of packages submitted as one definite unit for sampling or inspection. It is represented to contain the same kind of tobacco and has a common identification number or mark on each package.

§ 29.2290 Quality.

A division of a group or the second factor of a grade based on the relative degree of one or more elements of quality in tobacco.

§ 29.2291 Raw.

Freshly harvested tobacco or tobacco as it appears between the time of harvesting and the beginning of the curing process.

§ 29.2292 Resweated.

The condition of tobacco which has passed through a second fermentation under abnormally high temperatures or refermented with a relatively high percentage of moisture. Resweated includes tobacco which has been dipped or reconditioned after its first fermentation and put through a forced or artificial sweat.

§ 29.2293 Rework.

Any lot of tobacco which needs to be resorted or otherwise reworked to prepare it properly for market in the manner which is customary in the type area, including: (a) Tobacco which is so mixed that it cannot be classified properly in any grade of the type, because the lot contains a substantial quantity of two or more distinctly different grades which should be separated by sorting; (b) tobacco which contains an abnormally large quantity of foreign matter or an unusual number of muddy or extremely dirty leaves which should be removed; and (c) tobacco not tied in heads, not packed straight, not properly tied, or otherwise not properly prepared for market. (See rule 23.)

§ 29.2294 Semicured.

Tobacco in the process of being cured or which is partially but not thoroughly cured. Semicured includes tobacco which contains fat stems, wet butts, swell stems, frozen tobacco, and tobacco having frozen stems or stems that have not been thoroughly dried in the curing process. (See rule 23.)

§ 29.2295 Side.

A certain phase of quality, color, or length as contrasted with some other phase of quality, color, or length; or any peculiar characteristic of tobacco.

§ 29.2296 Size.

The length of tobacco leaves. (See United States Standard Tobacco Sizes.)

§ 29.2297 Sound.

Free of damage.

§ 29.2298 Special factor.

A symbol or term authorized to be used with specified grades. Tobacco to which a special factor is applied may meet the general specifications but has a peculiar side or characteristic which tends to modify the grade. (See rule 10.)

§ 29.2299 Steam-dried.

The condition of unfermented tobacco as customarily prepared for storage by means of a redrying machine or other steam-conditioning equipment.

§ 29.2300 Stem.

The midrib or large central vein of a tobacco leaf.

§ 29.2301 Stemmed.

A form of tobacco, including strips and strip scrap, from which the stems or midribs have been removed.

§ 29.2302 Strength (tensile).

The stress a tobacco leaf can bear without tearing.

§ 29.2303 Strips.

The sides of a tobacco leaf from which the stem has been removed or a lot of tobacco composed of strips.

§ 29.2304 Subgrade.

Any grade modified by a special factor symbol.

§ 29.2305 Sweated.

The condition of tobacco which has passed through one or more fermentations natural to tobacco packed with a normal percentage of moisture. This condition is sometimes described as aged.

§ 29.2306 Sweating.

The condition of tobacco in the process of fermentation.

§ 29.2307 Tobacco.

Tobacco as it appears between the time it is cured and stripped from the stalk, or primed and cured, and the time it enters into the different manufacturing processes. The acts of stemming, sweating, and conditioning are not regarded as manufacturing processes. Tobacco, as used in these standards, does not include manufactured or semimanufactured products, stems, cuttings, clippings, trimmings, siftings, or dust.

§ 29.2308 Tobacco products.

Manufactured tobacco, including cigarettes, cigars, smoking tobacco, chewing tobacco, and snuff, which is subject to Internal Revenue tax.

§ 29.2309 Type.

A division of a class of tobacco having certain common characteristics and closely related grades. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths is classified as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

§ 29.2310 Type 21.

That type of fire-cured tobacco, known as Virginia fire-cured or dark-fired, produced principally in the Piedmont and mountain sections of Virginia.

§ 29.2311 Uniformity.

An element of quality which describes the consistency of a lot of tobacco as it is prepared for market. Uniformity is expressed in grade specifications as a percentage. The percentage is applicable to group, quality, and color. (See rule 15.)

§ 29.2312 Unsound (U).

Damaged under 20 percent. (See rule 21.)

§ 29.2313 Unstemmed.

A form of tobacco, including whole leaf and leaf scrap, from which the stems or midribs have not been removed.

§ 29.2314 Variegated (K).

Any leaf of which 20 percent or more of its leaf surface is off brown, grayish, mottled, or bleached and does not blend with the normal colors of the type or group. (See rule 17.)

§ 29.2315 Wet (W).

Any sound tobacco containing excessive moisture to the extent that it is in an unsafe or doubtful-keeping order. Wet applies to any tobacco which is not damaged but which is likely to damage if treated in the customary manner. (See rule 22.) (For extremely wet or watered tobacco, see rule 23.)

§ 29.2316 Width.

The relative breadth of a tobacco leaf expressed in relation to its length. (See Elements of quality.)

ELEMENTS OF QUALITY

§ 29.2351 Elements of quality and degrees of each element.

These standardized words or terms are used to describe tobacco quality and to assist in interpreting grade specifications. Tobacco attributes or characteristics which constitute quality are designated as elements of quality. The range within each element is expressed by the use of words or terms designated as degrees. These several degrees are arranged to show their relative value, but the actual value of each degree varies with type, group, and grade. In each case the first and last degrees represent the full range for the element, and the intermediate degrees show gradual steps between them.

Elements	Degrees				
1. Body	Tissuey	Thin	Medium	Fleshy	Heavy.
2. Maturity	Mellow	Ripe	Mature	Underripe	Immature.
3. Leaf structure (porosity and solidity)	Porous	Open	Firm	Close	Solid.
4. Leaf surface (smoothness)	Smooth	Even	Wavy	Wrinkly	Rough.
5. Oil	Rich		Oily		Lean.
6. Elasticity	Elastic		Semielastic		Inelastic.
7. Strength (tensile)	Strong		Normal		Weak.
8. Finish	Bright	Clear	Moderate	Dull	Dingy.
9. Color intensity	Deep	Strong	do	Weak	Pale.
10. Width	Broad	Spready	Normal	Narrow	Stringy.
11. Length	(1)	(1)	(1)	(1)	(1)
12. Uniformity	(2)	(2)	(2)	(2)	(2)
13. Injury tolerance	(2)	(2)	(2)	(2)	(2)

[1] Expressed in U.S. Standard Tobacco Sizes.
[2] Expressed in percentage.

RULES

§ 29.2353 Rules.

The application of these official standard grades shall be in accordance with the following rules:

§ 29.2354 Rule 1.

Each grade shall be treated as a subdivision of a particular type. When the grade is stated in an inspection certificate, the type also shall be stated.

§ 29.2355 Rule 2.

The determination of a grade shall be based upon a thorough examination of a lot of tobacco or of an official sample of the lot.

§ 29.2356 Rule 3.

In drawing an official sample from a hogshead or other package of tobacco, three or more breaks shall be made at such points and in such manner as the inspector or sampler may find necessary to determine the kinds of tobacco and the percentage of each kind contained in the lot. One break shall be made not more than six inches from the top of the package and one not more than six inches from the bottom. All breaks shall be made so that the tobacco contained in the center of the package is visible to the sampler. Tobacco shall be drawn from at least three breaks from which a representative sample of not less than six hands shall be selected. The sample shall include tobacco of each different group, quality, color, length, and kind found in the lot in proportion to the quantities of each contained in the lot.

§ 29.2357 Rule 4.

All standard grades must be clean.

§ 29.2358 Rule 5.

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned it shall not thereafter be represented as such grade.

§ 29.2359 Rule 6.

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

§ 29.2360 Rule 7.

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

§ 29.2361 Rule 8.

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

§ 29.2362 Rule 9.

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

§ 29.2363 Rule 10.

Any special factor symbol approved by the Director of the Tobacco Division, Agricultural Marketing Service, may be used after a grademark to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

§ 29.2364 Rule 11.

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards Branch and approved by the Director.

§ 29.2365 Rule 12.

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

§ 29.2366 Rule 13.

Length shall be stated in connection with each grade of the A, B, and C groups and may be stated in connection with the grades of other groups. For this purpose, U.S. Standard Tobacco Sizes shall be used.

§ 29.2367 Rule 14.

U.S. Standard Tobacco Size 45 shall be used to designate X-group tobacco which is 20 inches or over in length in the third, fourth, and fifth qualities of M and G colors.

§ 29.2368 Rule 15.

Degrees of uniformity shall be expressed in terms of percentages. The percentages shall govern the portion of a lot which must meet the specifications of the grade. The minor portion must be closely related but may be of a different group, quality, and color from the major portion. These percentages shall not affect limitations established by other rules.

§ 29.2369 Rule 16.

The application of injury as an element of quality shall be expressed in terms of a percentage of tolerance. The appraisal of injury shall be based upon the percentage of affected leaf surface or the degree of injury. In appraising injury, consideration shall be given to the normal characteristics of the group as related to injury.

§ 29.2370 Rule 17.

Any lot of tobacco containing over 30 percent of variegated leaves shall be described as "variegated" and designated by the color symbol "K." Variegated leaves may be included in any group to the following extent: In the third quality, 10 percent; in the fourth quality, 20 percent; and in the fifth quality, 30 percent.

§ 29.2371 Rule 18.

Any lot of tobacco of B, C, or X groups which contains 30 percent or more of a color distinctly different from the major color shall be classified as "mixed" and designated by the color symbol "M."

§ 29.2372 Rule 19.

Any lot of tobacco containing 20 percent or more of green leaves or any lot which is not crude but contains 20 percent or more of green and crude combined shall be designated by the color symbol "G."

§ 29.2373 Rule 20.

Crude leaves shall not be included in any grade of any color except green. Any lot containing 30 percent or more of crude leaves, 50 percent or more of green leaves, or 50 percent or more of green and crude leaves combined shall be designated as Nondescript.

§ 29.2374 Rule 21.

Tobacco damaged under 20 percent but which otherwise meets the specifications of a grade shall be treated as a subgrade by placing the special factor "U" after the grademark. Tobacco damaged 20 percent or more shall be designated as "No-G."

§ 29.2375 Rule 22.

Sound tobacco that is wet or in doubtful-keeping order but which otherwise meets the specifications of a grade shall be treated as a subgrade by placing the special factor "W" after the grademark. This special factor does not apply to tobacco designated as "No-G."

§ 29.2376 Rule 23.

Tobacco shall be designated as No Grade, using the grademark "No-G," when it needs to be reworked, contains foreign matter, has an odor foreign to the type, or when it is dirty, nested, off-type, semicured, damaged 20 percent or more, or extremely wet or watered tobacco.

GRADES

§ 29.2401 Wrappers (A Group).

This group consists of leaves from the Heavy Leaf and Thin Leaf groups. Cured leaves of the A group show a low percentage of injury affecting wrapper yield. Wrappers are high in oil and very elastic.

U.S. grades	Grade names and specifications
A1F	Choice Medium-brown Wrappers Thin to medium body, ripe, open to firm, smooth, rich in oil, elastic, strong, bright finish, deep color intensity, broad, and 20 percent of leaves not lower than B2 or C2.
A2F	Fine Medium-brown Wrappers Thin to medium body, ripe, open to firm, even to smooth, rich in oil, elastic, strong, clear finish, strong color intensity, spready, and 30 percent of leaves not lower than B2 or C2.
A1D	Choice Dark-brown Wrappers Fleshy to heavy, ripe, open to firm, smooth, rich in oil, elastic, strong, bright finish, deep color intensity, broad, and 20 percent of leaves not lower than B2 or C2.
A2D	Fine Dark-brown Wrappers Fleshy to heavy, ripe, open to firm, even to smooth, rich in oil, elastic, strong, clear finish, strong color intensity, spready, and 30 percent of leaves not lower than B2 or C2.

§ 29.2402 Heavy Leaf (B Group).

This group consists of leaves usually grown at or above the center portion of the stalk. These leaves have a pointed tip, tend to fold, are heavier in body than the X or C groups, and show no ground injury.

U.S. grades	Grade names and specifications
B1F	Choice Medium-brown Heavy Leaf Medium to fleshy body, ripe, open to firm, smooth, rich in oil, semielastic, strong, bright finish, deep color intensity, broad, 95 percent uniform, and 5 percent injury tolerance.
B2F	Fine Medium-brown Heavy Leaf Medium to fleshy body, ripe, open to firm, even, rich in oil, semielastic, strong, clear finish, strong color intensity, spready, 90 percent uniform, and 10 percent injury tolerance.
B3F	Good Medium-brown Heavy Leaf Medium to fleshy body, mature to ripe, open to firm, wavy, oily, inelastic, normal strength, moderate finish and color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
B4F	Fair Medium-brown Heavy Leaf Medium to fleshy body, mature, open to close, wrinkly, lean in oil, inelastic, weak, dull finish, weak color intensity, narrow, 70 percent uniform, and 30 percent injury tolerance.
B5F	Low Medium-brown Heavy Leaf Medium to fleshy body, underripe, open to close, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, stringy, 60 percent uniform, and 40 percent injury tolerance.
B1D	Choice Dark-brown Heavy Leaf Fleshy to heavy, ripe, open to firm, smooth, rich in oil, semielastic, strong, bright finish, deep color intensity, broad, 95 percent uniform, and 5 percent injury tolerance.
B2D	Fine Dark-brown Heavy Leaf Fleshy to heavy, ripe, open to firm, even, rich in oil, semielastic, strong, clear finish, strong color intensity, spready, 90 percent uniform, and 10 percent injury tolerance.
B3D	Good Dark-brown Heavy Leaf Fleshy to heavy, mature to ripe, open to firm, wavy, oily, inelastic, normal strength, moderate finish and color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
B4D	Fair Dark-brown Heavy Leaf Fleshy to heavy, mature, open to close, wrinkly, lean in oil, inelastic, weak, dull finish, weak color intensity, narrow, 70 percent uniform, and 30 percent injury tolerance.
B5D	Low Dark-brown Heavy Leaf Fleshy to heavy, underripe, open to close, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, stringy, 60 percent uniform, and 40 percent injury tolerance.
B3M	Good Mixed Color Heavy Leaf Medium to heavy body, mature to ripe, open to firm, wavy, oily, inelastic, normal strength, moderate finish and color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
B4M	Fair Mixed Color Heavy Leaf Medium to heavy body, mature, open to close, wrinkly, lean in oil, inelastic, weak, dull finish, weak color intensity, narrow, 70 percent uniform, and 30 percent injury tolerance.
B5M	Low Mixed Color Heavy Leaf Medium to heavy body, underripe, open to close, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, stringy, 60 percent uniform, and 40 percent injury tolerance.
B3G	Good Green Heavy Leaf Medium to heavy body, immature, open to firm, wavy, oily, inelastic, normal strength, moderate finish, normal width, 80 percent uniform, and 20 percent injury tolerance.
B4G	Fair Green Heavy Leaf Medium to heavy body, immature, firm to close, wrinkly, lean in oil, inelastic, weak, dull finish, narrow, 70 percent uniform, and 30 percent injury tolerance.
B5G	Low Green Heavy Leaf Medium to heavy body, immature, close to solid, rough, lean in oil, inelastic, weak, dingy finish, stringy, 60 percent uniform, and 40 percent injury tolerance.

§ 29.2403 Thin Leaf (C Group).

This group consists of leaves usually grown at the center portion of the stalk. C-group leaves normally have a rounded tip and a tendency to roll, are thinner in body than the B group, and show little or no ground injury.

U.S. grades	Grade names and specifications
C1L	Choice Light-brown Thin Leaf Thin to medium body, ripe, open to firm, smooth, oily, semielastic, strong, bright finish, deep color intensity, broad, 95 percent uniform, and 5 percent injury tolerance.
C2L	Fine Light-brown Thin Leaf Thin to medium body, ripe, open to firm, even, oily, semielastic, strong, clear finish, strong color intensity, spready, 90 percent uniform, and 10 percent injury tolerance.
C3L	Good Light-brown Thin Leaf Thin to medium body, mature to ripe, open to firm, wavy, oily, inelastic, normal strength, moderate finish and color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4L	Fair Light-brown Thin Leaf Thin to medium body, mature, open to close, wrinkly, lean in oil, inelastic, weak, dull finish, weak color intensity, narrow, 70 percent uniform, and 30 percent injury tolerance.
C5L	Low Light-brown Thin Leaf Thin to medium body, underripe, open to close, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, stringy, 60 percent uniform, and 40 percent injury tolerance.
C1F	Choice Medium-brown Thin Leaf Thin to medium body, ripe, open to firm, smooth, oily, semielastic, strong, bright finish, deep color intensity, broad, 95 percent uniform, and 5 percent injury tolerance.
C2F	Fine Medium-brown Thin Leaf Thin to medium body, ripe, open to firm, even, oily, semielastic, strong, clear finish, strong color intensity, spready, 90 percent uniform, and 10 percent injury tolerance.
C3F	Good Medium-brown Thin Leaf Thin to medium body, mature to ripe, open to firm, wavy, oily, inelastic, normal strength, moderate finish and color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4F	Fair Medium-brown Thin Leaf Thin to medium body, mature, open to close, wrinkly, lean in oil, inelastic, weak, dull finish, weak color intensity, narrow, 70 percent uniform, and 30 percent injury tolerance.
C5F	Low Medium-brown Thin Leaf Thin to medium body, underripe, open to close, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, stringy, 60 percent uniform, and 40 percent injury tolerance.
C2D	Fine Dark-brown Thin Leaf Thin to medium body, ripe, open to firm, even, oily, semielastic, strong, clear finish, strong color intensity, spready, 90 percent uniform, and 10 percent injury tolerance.
C3D	Good Dark-brown Thin Leaf Thin to medium body, mature to ripe, open to firm, wavy, oily, inelastic, normal strength, moderate finish and color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4D	Fair Dark-brown Thin Leaf Thin to medium body, mature, open to close, wrinkly, lean in oil, inelastic, weak, dull finish, weak color intensity, narrow, 70 percent uniform, and 30 percent injury tolerance.
C5D	Low Dark-brown Thin Leaf Thin to medium body, underripe, open to close, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, stringy, 60 percent uniform, and 40 percent injury tolerance.
C3M	Good Mixed Color Thin Leaf Thin to medium body, mature to ripe, open to firm, wavy, oily, inelastic, normal strength, moderate finish and color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4M	Fair Mixed Color Thin Leaf Thin to medium body, mature, open to close, wrinkly, lean in oil, inelastic, weak, dull finish, weak color intensity, narrow, 70 percent uniform, and 30 percent injury tolerance.
C5M	Low Mixed Color Thin Leaf Thin to medium body, underripe, open to close, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, stringy, 60 percent uniform, and 40 percent injury tolerance.

U.S. grades	Grade names and specifications
C3K	Good Variegated Thin Leaf Thin to medium body, mature to ripe, open to close, wavy, oily, inelastic, normal strength and width, 80 percent uniform, and 20 percent injury tolerance.
C4K	Fair Variegated Thin Leaf Thin to medium body, mature, open to close, wrinkly, lean in oil, inelastic, weak, narrow, 70 percent uniform, and 30 percent injury tolerance.
C5K	Low Variegated Thin Leaf Thin to medium body, underripe, open to close, rough, lean in oil, inelastic, weak, stringy, 60 percent uniform, and 40 percent injury tolerance.
C3G	Good Green Thin Leaf Thin to medium body, immature, open to firm, wavy, oily, inelastic, normal strength, moderate finish, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4G	Fair Green Thin Leaf Thin to medium body, immature, firm to close, wrinkly, lean in oil, inelastic, weak, dull finish, narrow, 70 percent uniform, and 30 percent injury tolerance.
C5G	Low Green Thin Leaf Thin to medium body, immature, close to solid, rough, lean in oil, inelastic, weak, dingy finish, stringy, 60 percent uniform, and 40 percent injury tolerance.

§ 29.2404 Lugs (X Group).

This group of leaves normally grows at the bottom of the stalk. Leaves of the X group usually have a blunt tip, tend to roll, have a higher degree of maturity than the A, B, or C groups, and show ground injury characteristic of the group.

U.S. grades	Grade names and specifications
X1L	Choice Light-brown Lugs Thin to medium body, mellow, open to firm, even, oily, inelastic, normal strength, clear finish, strong color intensity, 95 percent uniform, and 5 percent injury tolerance.
X2L	Fine Light-brown Lugs Thin to medium body, mellow, open to firm, even, oily, inelastic, normal strength, moderate finish and color intensity, 90 percent uniform, and 10 percent injury tolerance.
X3L	Good Light-brown Lugs Thin to medium body, ripe, open, wavy, lean in oil, inelastic, normal strength, dull finish, weak color intensity, 80 percent uniform, and 20 percent injury tolerance.
X4L	Fair Light-brown Lugs Tissuey to medium body, mature to ripe, porous, wrinkly, lean in oil, inelastic, weak, dingy finish, pale color intensity, 70 percent uniform, and 30 percent injury tolerance.
X5L	Low Light-brown Lugs Tissuey to medium body, mature to ripe, porous, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, 60 percent uniform, and 40 percent injury tolerance.
X1F	Choice Medium-brown Lugs Medium to fleshy body, mellow, open to firm, even, oily, inelastic, normal strength, clear finish, strong color intensity, 95 percent uniform, and 5 percent injury tolerance.
X2F	Fine Medium-brown Lugs Medium to fleshy body, mellow, open to firm, even, oily, inelastic, normal strength, moderate finish and color intensity, 90 percent uniform, and 10 percent injury tolerance.
X3F	Good Medium-brown Lugs Medium to fleshy body, ripe, open, wavy, lean in oil, inelastic, normal strength, dull finish, weak color intensity, 80 percent uniform, and 20 percent injury tolerance.
X4F	Fair Medium-brown Lugs Thin to fleshy, mature to ripe, porous, wrinkly, lean in oil, inelastic, weak, dingy finish, pale color intensity, 70 percent uniform, and 30 percent injury tolerance.
X5F	Low Medium-brown Lugs Thin to fleshy, mature to ripe, porous, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, 60 percent uniform, and 40 percent injury tolerance.
X1D	Choice Dark-brown Lugs Fleshy to heavy, mellow, open to firm, even, oily, inelastic, normal strength, clear finish, strong color intensity, 95 percent uniform, and 5 percent injury tolerance.
X2D	Fine Dark-brown Lugs Fleshy to heavy, mellow, open to firm, even, oily, inelastic, normal strength, moderate finish and color intensity, 90 percent uniform, and 10 percent injury tolerance.
X3D	Good Dark-brown Lugs Fleshy to heavy, ripe, open, wavy, lean in oil, inelastic, weak, dull finish, weak color intensity, 80 percent uniform, and 20 percent injury tolerance.
X4D	Fair Dark-brown Lugs Medium to heavy body, mature to ripe, porous, wrinkly, lean in oil, inelastic, weak, dingy finish, pale color intensity, 70 percent uniform, and 30 percent injury tolerance.
X5D	Low Dark-brown Lugs Medium to heavy body, mature to ripe, porous, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, 60 percent uniform, and 40 percent injury tolerance.
X3M	Good Mixed Color Lugs Medium to heavy body, ripe, open, wavy, lean in oil, inelastic, weak, dull finish, weak color intensity, 80 percent uniform, and 20 percent injury tolerance.
X4M	Fair Mixed Color Lugs Thin to fleshy, mature to ripe, porous, wrinkly, lean in oil, inelastic, weak, dingy finish, pale color intensity, 70 percent uniform, and 30 percent injury tolerance.
X5M	Low Mixed Color Lugs Tissuey to medium body, mature to ripe, porous, rough, lean in oil, inelastic, weak, dingy finish, pale color intensity, 60 percent uniform, and 40 percent injury tolerance.
X3G	Good Green Lugs Fleshy to heavy, immature, open, wavy, lean in oil, inelastic, weak, dull finish, 80 percent uniform, and 20 percent injury tolerance.
X4G	Fair Green Lugs Medium to fleshy body, immature, porous, wrinkly, lean in oil, inelastic, weak, dingy finish, 70 percent uniform, and 30 percent injury tolerance.
X5G	Low Green Lugs Thin to medium body, immature, porous, rough, lean in oil, inelastic, weak, dingy finish, 60 percent uniform, and 40 percent injury tolerance.

§ 29.2405 Nondescript (N Group).

Extremely common tobacco which does not meet the minimum specifications or which exceeds the tolerance of the lowest grade of any other group.

U.S. grades	Grade names and specifications
N1L	First Quality Light Colored Nondescript Tissuey to medium body and 60 percent injury tolerance.
N1D	First Quality Dark Colored Nondescript Medium to heavy body and 60 percent injury tolerance.
N1G	First Quality Crude Green Nondescript 60 percent crude leaves or injury tolerance.
N2	Substandard Nondescript Nondescript of any group or color; over 60 percent crude leaves or injury tolerance.

§ 29.2406 Scrap (S Group).

A by-product of unstemmed and stemmed tobacco. Scrap accumulates from handling tobacco in farm buildings, warehouses, packing and conditioning plants, and stemmeries.

U.S. grades	Grade name and specifications
S	Scrap Loose, tangled, whole, or broken unstemmed leaves, or the web portions of tobacco leaves reduced to scrap by any process.

SUMMARY OF STANDARD GRADES

§ 29.2431 Summary of standard grades.

4 Grades of Wrappers

A1F	A2F	A1D	A2D

16 Grades of Heavy Leaf

B1F	B5F	B4D	B5M
B2F	B1D	B5D	B3G
B3F	B2D	B3M	B4G
B4F	B3D	B4M	B5G

23 Grades of Thin Leaf

C1L	C2F	C4D	C4M
C2L	C3F	C5D	C5M
C3L	C4F	C3K	C3G
C4L	C5F	C4K	C4G
C5L	C2D	C5K	C5G
C1F	C3D	C3M	

21 Grades of Lugs

X1L	X2F	X3D	X3G
X2L	X3F	X4D	X4G
X3L	X4F	X5D	X5G
X4L	X5F	X3M	
X5L	X1D	X4M	
X1F	X2D	X5M	

4 Grades of Nondescript

N1L	N1D	N2	N1G

1 Grade of Scrap

S

Special factors "U" and "W" may be applied to all grades.

Tobacco not covered by the standard grades is designated as No-G.

SIZES APPLICABLE

A1, A2	45, 46.
B1	45, 46.
B2	44, 45, 46.
B3, B4, B5	43, 44, 45, 46, 47.
C1	45, 46.
C2	44, 45, 46.
C3, C4, C5	44, 45, 46, 47.
X3, X4, X5, M and G [1]	45.

[1] No size is applied to these grades if tobacco is under size 45.

KEY TO STANDARD GRADEMARKS

§ 29.2432 Key to standard grademarks.

Groups

A—Wrappers.
B—Heavy Leaf.
C—Thin Leaf.
X—Lugs.
N—Nondescript.
S—Scrap.

Qualities

1—Choice.
2—Fine.
3—Good.
4—Fair.
5—Low.

Colors

L—Light brown.
F—Medium brown.
D—Dark brown.
K—Variegated.
M—Mixed.
G—Green.

(49 Stat. 734; 7 U.S.C. 511m)

Done at Washington, D.C., this 24th day of November 1959.

ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 59-10041; Filed, Nov. 27, 1959; 8:48 a.m.]

Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 612, 24th Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Khapra Beetle

REVISED ADMINISTRATIVE INSTRUCTIONS DESIGNATING PREMISES AS REGULATED AREAS

Pursuant to § 301.76-2 of the regulations supplemental to the Khapra Beetle Quarantine (7 CFR 301.76-2) under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), revised administrative instructions are hereby issued as follows, listing premises in which infestations of the khapra beetle have been determined to exist and designating such premises as regulated areas within the meaning of said quarantine and regulations.

§ 301.76-2a Administrative instructions designating certain premises as regulated areas under the khapra beetle quarantine and regulations.

Infestations of the khapra beetle have been determined to exist in the premises listed in paragraphs (a) and (b) of this section. Accordingly, such premises are hereby designated as regulated areas within the meaning of the provisions in this subpart:

(a)

ARIZONA

The Allgood Ranch, Route 1, Box 1046, Scottsdale.

Boker Dairy, Route 1, Box 735, Scottsdale.

Mila Booth Farm, located 2¾ miles south and ¾ mile east of Colorado River Indian Agency, P.O. Box 1993, Parker.

Don Calder Dairy, 915 South Horne Lane, Mesa.

Tom Drennen Farm, located ½ mile north and 2 miles east of LOFO No. 1, % Colorado River Trading Co., Parker.

Mrs. J. C. Lincoln Goat Dairy, East McDonald Road and Saguaro Road, Scottsdale.

MCP Ranch Headquarters, Route 1, Box 10 M, located ½ mile south of 16th Street and 3/10 mile east of Avenue B, Somerton.

(b) The portion of each of the following premises in which live khapra bettles were found has received the approved fumigation treatment, but these premises must continue under frequent observation and inspection for a period of one year following fumigation before a determination can be made as to the adequacy of such treatment to eradicate the khapra bettle in and upon such premises. During this period regulated articles may be moved from the premises only in accordance with the regulations in this subpart.

ARIZONA

Advance Seed & Grain Co. (Grain Division), 310 South 24th Avenue, Phoenix.

Hi-Jolly Date Farm, 4500 East Main Street, Mesa.

NEW MEXICO

Jim Akers Dairy Farm, Highway 85, located 2 miles south of Hatch, P.O. Box 12, Hatch.

Frank Erdell (dairy), located 2 miles west and 1 mile north of the junction of Highways 70-80 and 85, Route 2, Box 85, Las Cruces.

TEXAS

Clint Grocery Store, Clint.

A. H. Dean property, 8211 Carpenter Drive, El Paso.

El Paso Union Stock Yards, 1800 East 11th Street, El Paso.

Emmett's Poultry and Egg Company, 150 North Piedras Street, El Paso.

Furr's Super Market, 7690 North Loop Road, El Paso.

H&M Grocery Store, Fort Hancock.

Heid Brothers Feed and Seed Store, 1705 Texas Avenue, El Paso.

L. M. Hamilton property, 4036 Emery Way, El Paso.

The Penn Dairy Farm, Mesa Road, El Paso.

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162. Interprets or applies sec 8, 37 Stat. 318, as amended; 7 U.S.C. 161. 19 F.R. 74, as amended; 7 CFR 301.76-2)

Subsequent to the twenty-third revision, effective September 9, 1959, infestation of the khapra beetle was discovered on the premises of Clemens Cattle Company, located two miles west of Florence on Coolidge Highway, Box 576, Florence, Arizona. Movement of regulated articles from this property was immediately stopped. Within a few days the infested premises had been fumigated in their entirety and declared free of khapra beetle infestation. Accordingly, this property is not being included in this revision.

This revision has the effect of revoking the designation as a regulated area of certain premises in Arizona, California, and Texas, it having been determined by the Director of the Plant Pest Control Division that adequate sanitation measures have been practiced for a sufficient length of time to eradicate the khapra beetle in and upon such premises. It also adds certain premises in Arizona to the list of premises in which khapra beetle infestations have been determined to exist, and designates such premises as regulated areas under the khapra beetle quarantine and regulations.

As an informative item, the revision segregates certain regulated premises in Arizona, New Mexico, and Texas where the approved fumigation treatment has been applied to the portion of the premises in which live khapra beetles were found and which are consequently in a somewhat different category than untreated premises.

These administrative instructions shall become effective November 28, 1959, when they shall supersede P.P.C. 612, Twenty-third Revision, effective September 9, 1959 (24 F.R. 7242).

These instructions, in part, impose restrictions supplementing khapra beetle quarantine regulations already effective. They also relieve restrictions insofar as they revoke the designation of certain regulated areas. They must be made effective promptly in order to carry out the purposes of the regulations and to be of maximum benefit in permitting the interstate movement, without restriction under the quarantine, of regulated products from the premises being removed from designation as regulated areas. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing administrative instructions are impracticable and good cause is found for making the effective date thereof less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 23d day of November 1959.

E. D. BURGESS,
Director,
Plant Pest Control Division.

[F.R. Doc. 59-10030; Filed, Nov. 27, 1959; 8:47 a.m.]

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[Amdt. 3]

PART 728—WHEAT

Subpart—Regulations Pertaining to Farm Acreage Allotments for 1960 and Subsequent Crops of Wheat

MISCELLANEOUS AMENDMENTS

Basis and purpose. The amendments herein are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, including the amendments in Public Law 86-172, and are for the purpose of amending the definition of wheat history acreage contained in § 728.1011.

Wheat producers are now in the process of planting their 1960 wheat acreage

and in order to give them information concerning the effect Public Law 86–172 will have on their wheat history acreage and thus permit them to plant in accordance therewith, it is hereby found that compliance with the public notice, procedure and 30-day effective date provisions of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the amendments herein shall become effective upon their publication in the FEDERAL REGISTER.

1. Section 728.1011(f)(4) is amended by striking out in the second sentence the language "the acreage planted to Durum wheat (Class II)" and inserting in lieu thereof the language "the special allotment determined".

2. Section 728.1011(f)(5) is amended to read as follows:

(5) (i) For 1959, for any old farm for which a 1959 wheat acreage allotment was determined and the allotment was not knowingly overplanted, the 1959 base acreage as determined for the farm under § 728.917, except that, if the 1959 farm wheat acreage allotment on such farm was underplanted for 1959 for the purpose of reducing previously stored excess wheat, the wheat history acreage shall be the acreage obtained by multiplying the wheat acreage, including the acreage regarded as planted to wheat for 1959 under the Soil Bank Act or the Great Plains program, by the 1959 county wheat diversion credit factor. The diversion credit factor will be the reciprocal of a decimal fraction which is 100 per centum of the county proration factor as determined under the wheat farm acreage allotment regulations for 1959;

(ii) For 1959, for any new wheat farm for which a wheat acreage allotment was determined and such allotment was not knowingly overplanted, the final allotment determined for the farm under applicable regulations multiplied by the 1959 county wheat diversion credit factor. The diversion credit factor will be the reciprocal of a decimal fraction which is 100 per centum of the county proration factor as determined under the applicable regulations for 1959.

(iii) For 1959, for any old or new farm knowingly overplanted and for which no farm marketing excess was determined, or an excess was determined and the penalty for such excess was not postponed or avoided by storage or delivery of the excess in accordance with § 728.879 or § 728.880 and became due and payable, or a feed wheat exemption under section 335(f) of the Act was in effect, the 1959 farm allotment;

(iv) For 1959, for any old farm knowingly overplanted and for which a farm marketing excess was determined and the excess was stored or delivered to the Secretary under regulations issued by the Department, the 1959 base acreage as determined under § 728.917;

(v) For 1959, for any new wheat farm knowingly overplanted and for which a farm marketing excess was determined and the excess was stored or delivered to the Secretary under regulations issued by the Department, the final allotment determined for the farm under applicable regulations multiplied by the county wheat diversion credit factor. The diversion credit factor will be the reciprocal of a decimal fraction which is 100 per centum of the county proration factor as determined under applicable regulations for 1959.

(vi) For 1959, for any farm in the Tulelake Area of California to which the provisions of Public Law 85–390 were applicable, the sum of the acreage determined as indicated in subdivision (i), (ii), (iii), (iv) or (v) of this subparagraph based on the allotment, plus the special Durum wheat allotment determined for the farm under the provisions of Public Law 85–390.

3. Section 728.1011(f) is further amended by adding a new subparagraph (6) at the end thereof as follows:

(6) (i) For 1960 and any subsequent year, for any old farm for which a wheat acreage allotment was determined for the current year and such allotment was not knowingly overplanted, the base acreage of wheat determined for the farm for the current year under applicable regulations for determining such base acreage if the farm is federally owned, or in the case of farms not federally owned, if for the current year or either of the two preceding years, the actual acreage planted to wheat plus any acreage regarded as planted to wheat under the Soil Bank Act or the Great Plains program was at least 75 percent of the farm wheat acreage allotment determined for such year under applicable regulations;

(ii) For 1960 and any subsequent year, for any new farm for which a wheat acreage allotment was determined for the current year and such allotment was not knowingly overplanted, the final allotment determined for the farm under applicable regulations multiplied by the current year's county wheat diversion credit factor. The diversion credit factor will be the reciprocal of a decimal fraction which is 100 per centum of the county proration factor as determined under applicable regulations for the current year;

(iii) For 1960 and any subsequent year, for any old farm other than a federally owned farm for which a farm allotment was determined for the current year and less than 75 percent of the farm allotment for the current year and for each of the two immediately preceding years was actually planted to wheat or regarded as planted to wheat under the Soil Bank Act and the Great Plains program, the acreage obtained by multiplying the wheat acreage, including the acreage regarded as planted to wheat under the Soil Bank Act and the Great Plains program for the current year, by the current year's county wheat diversion credit factor. The diversion credit factor will be the reciprocal of a decimal fraction which is 100 per centum of the county proration factor as determined under applicable regulations for the current year;

(iv) Notwithstanding the provisions of subdivisions (i) and (iii) of this subparagraph, for 1960 and any subsequent year, if the county committee determines that any producer on a farm other than a federally owned farm was prevented from seeding wheat for harvest as grain in his usual planting season because of unfavorable weather conditions and the operator of the farm notified the county committee not later than December 1 of the year preceding the current year in any area where only winter wheat is grown, or June 1 of the current year in the spring wheat area (including an area where both spring and winter wheat are grown), that he did not intend to seed his full wheat allotment for the current year because of the unfavorable weather conditions, the wheat history acreage for the current year shall be the base acreage determined for the farm for such year under applicable regulations: *Provided*, That if any producer on a farm obtains a reduction in the storage amount of any previous crop of wheat by reason of underplanting the farm wheat acreage allotment, or by reason of producing less than the normal production of the farm wheat acreage allotment, the provisions of this subdivision may not be made applicable to such farm with respect to the crop of wheat for which the farm acreage allotment was established;

(v) For 1960 and any subsequent year, for any old or new farm knowingly overplanted and for which no farm marketing quota excess was determined, or a farm marketing excess was determined and the penalty on such excess was not postponed or avoided by storage or delivery of the excess in accordance with § 728.879 or § 728.880 and became due and payable, or a feed wheat exemption under section 335(f) of the Act was in effect for the current year, the farm allotment for such year;

(vi) For 1960 and any subsequent year, for any old farm knowingly overplanted for which a farm marketing excess was determined and such excess was stored or delivered to the Secretary under applicable regulations, the current base acreage determined under applicable regulations;

(vii) For 1960 and any subsequent year, for any new farm knowingly overplanted and for which a farm marketing excess was determined and the excess was stored or delivered to the Secretary under regulations issued by the Department, the final allotment determined for the farm under applicable regulations multiplied by the current year's county wheat diversion credit factor. The diversion credit factor will be the reciprocal of a decimal fraction which is 100 per centum of the county proration factor as determined under applicable regulations for the current year.

4. Section 728.1011 is further amended by adding at the end thereof a new paragraph (g) as follows:

(g) "Acreage regarded as planted to wheat under the Soil Bank Act" means the acreage placed in the conservation reserve at the regular rate, not to exceed the amount by which the farm acreage allotment for wheat exceeds the acreage actually planted to wheat. In the event the farm has two or more commodity allotments and the acreage placed in the

conservation reserve at the regular rate on the farm is less than the sum of the amount by which the respective allotment (after release and before reapportionment) exceeds the acreage actually planted to each allotment crop on the farm, the acreage placed in the conservation reserve at the regular rate shall be prorated and credited to each allotment commodity. To prorate this acreage, the sum of the amounts by which the respective allotments (after release and before reapportionment) exceed the acreage actually planted to each allotment crop on the farm shall be obtained; this total shall then be divided into the amount by which the wheat allotment exceeds the acreage actually planted to wheat on the farm; the percentage thus obtained for wheat shall be applied to the acreage on the farm under a conservation reserve contract at the regular rate; and the result shall be the acreage regarded as planted to wheat under the Soil Bank Act.

5. Section 728.1011 is further amended by adding at the end thereof a new paragraph (h) as follows:

(h) "Acreage regarded as planted to wheat under the Great Plains program" means the acreage diverted from wheat in order to carry out the Great Plains program, as determined by the county committee after consultation with the producer and the work unit conservationist of the Soil Conservation Service. Such acreage shall not exceed the amount by which the wheat allotment exceeds the sum of the acreage actually planted to wheat and the acreage regarded as planted to wheat under the Soil Bank Act. Where there is both a conservation reserve contract and a Great Plains contract on the farm and there is more than one allotment crop on the farm, the acreage diverted from each allotment crop in order to carry out the Great Plains contract will be determined by the county committee after consultation with the producer and the work unit conservationist. The acreage diverted from any commodity in order to carry out a Great Plains contract shall not exceed the amount by which the allotment (after release and before reapportionment) for the respective commodity exceeds the sum of the acreage actually planted to such commodity and the acreage regarded as planted to such commodity under the Soil Bank Act.

6. Section 728.1020 is amended by deleting the last sentence thereof.

(Sec. 375, 52 Stat. 66; 7 U.S.C. 1375. Interpret or apply secs. 334, 52 Stat. 53, as amended; 377, 71 Stat. 592, 73 Stat. 393; 7 U.S.C. 1334, 1377)

Issued at Washington, D.C., this 20th day of November 1959.

CLARENCE D. PALMBY,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 59-10031; Filed, Nov. 27, 1959; 8:47 a.m.]

Chapter IX—Agriculture Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Milk Order 13]

PART 913—MILK IN GREATER KANSAS CITY MARKETING AREA

Order Amending Order

§ 913.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Greater Kansas City marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held;

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, two cents per hundredweight or such amount not to exceed two cents per hundredweight as the Secretary may prescribe, with respect to the quantities of milk specified in §§ 913.61 and 913.88.

(b) *Additional findings.* (1) It is necessary in the public interest to make this order amending the order effective not later than December 1, 1959.

(2) The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued September 10, 1959, and the decision of the Assistant Secretary containing all amendment provisions of this order issued October 26, 1959. Therefore, reasonable time has been afforded persons affected to prepare for its effective date. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective December 1, 1959, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. The order is hereby amended as follows:

1. Revise § 913.6 to read as follows:

§ 913.6 Greater Kansas City marketing area.

"Greater Kansas City marketing area" hereinafter called "marketing area" means all of the territory in Jackson, Cass, Bates, Lafayette, Johnson, Henry, and St. Clair Counties, all in Missouri; those portions, excluding Platte City, Missouri, of Platte and Clay Counties in Missouri, south of a line extending in an easterly direction from the Missouri River on the west along State Highway 92 to the intersection of State Highway 92 and U. S. Highway 69, thence north to the north section line of Section 26 in Washington Township in Clay County, thence east along the north section lines of Sections 26 and 25 in Washington Township to the boundaries of Clay and Ray Counties; all of the Counties of Wyandotte, Leavenworth, Johnson, Douglas, Shawnee, Lyon, Morris, and Miami in the State of Kansas, and Riley County, Kansas, exclusive of the Fort Riley military reservation.

§ 913.7 [Amendment]

2. Add to § 913.7 the following: "Milk diverted pursuant to paragraph (a) (2) of this section shall be considered as having been received at the plant from which it is diverted."

3. Revised § 913.11 to read as follows:

§ 913.11 Handler.

"Handler" means:

(a) Any person in his capacity as the operator of a pool plant;

(b) Any person in his capacity as the operator of a nonpool plant from which fluid milk products are disposed of on a route(s) in the marketing area;

(c) Any cooperative association which chooses to report as a handler with respect to the milk of its member producers which is delivered to the pool plant of another handler or to the plant of a producer-handler in a tank truck owned or operated by or under contract to such cooperative association for the account of such cooperative association. (Such milk shall be considered as having been received by such cooperative association at the plant to which it is delivered.);

(d) Any cooperative association which chooses to report as a handler with respect to the milk of its member-producers which is delivered in cans to the pool plants of two or more handlers in a single delivery period (such milk shall be considered as having been received by such cooperative association at the plant to which it is delivered); or

(e) Any cooperative association with respect to the milk of any producer which such cooperative association causes to be diverted from a pool plant to a nonpool plant for the account of such cooperative association.

4. Revise § 913.12 to read as follows:

§ 913.12 Producer-handler.

"Producer-handler" means a person who operates both a dairy farm(s) and a milk processing or bottling plant at which each of the following conditions is met during the month:

(a) Milk is received from the dairy farm(s) of such person or from a cooperative association pursuant to § 913.11 (c) but from no other dairy farm;

(b) Fluid milk products are disposed of on routes to retail or wholesale outlets in the marketing area; and

(c) The butterfat or skim milk disposed of in the form of a fluid milk product does not exceed the butterfat or skim milk, respectively, received in the form of milk from the dairy farm(s) of such person and in the form of a fluid milk product from pool plants of other handlers or from a cooperative association pursuant to § 913.11(c); and

(d) Such person shall furnish to the market administrator for his verification, subject to review by the Secretary, evidence that the maintenance, care and management of the dairy animals and other resources necessary for the production of milk in his name are and continue to be the personal enterprise of and at the personal risk of such producer in his capacity as a handler.

5. Amend § 913.60 to read as follows:

§ 913.60 Exempt handlers.

Sections 913.40 through 913.45, 913.50 through 913.53, 913.61, 913.70, 913.71, and 913.80 through 913.88 shall not apply to a producer-handler or to a handler operating a plant from which less than an average of 600 pounds of Class I milk per day is distributed on routes in the marketing area.

§ 913.70 [Amendment]

6. In § 913.70 (c) and (d) change "§ 913.46(a) (5)" to "§ 913.46(a) (4)".

§ 913.86 [Amendment]

7. Change the present § 913.86 to § 913.86(a) and add the following:

(b) *Overdue accounts.* Any unpaid obligation of a handler or of the market administrator pursuant to §§ 913.80, 913.84, 913.85, 913.86(a), 913.87, and 913.88 shall be increased one-half of one percent on the first day of the month next following the due date of such obligation and on the first day of each month thereafter until such obligation is paid.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Issued at Washington, D.C., this 24th day of November 1959 to be effective on and after the 1st day of December 1959.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59–10040; Filed, Nov. 27, 1959; 8:48 a.m.]

[Navel Orange Reg. 173]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 914.473 Navel Orange Regulation 173.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on November 25, 1959.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., November 22, 1959, and ending at 12:01 a.m., P.s.t., December 6, 1959, are hereby fixed as follows:

(i) District 1: 900,000 cartons;

(ii) District 2: Unlimited movement;

(iii) District 3: Unlimited movement;

(iv) District 4: Unlimited movement.

(2) All navel oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 27, 1959.

G. R. GRANGE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59–10121; Filed, Nov. 27, 1959; 11:19 a.m.]

[Orange Reg. 365]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.989 Orange Regulation 365.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and

Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the bases of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, including Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 24, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, including Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F.R. 6676).

(2) During the period beginning at 12:01 a.m., e.s.t., November 30, 1959, and ending at 12:01 a.m., e.s.t., December 14, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, including Temple oranges, grown in the production area, which do not grade at least U.S. No. 1 Bronze;

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than $2\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title): *Provided,* That in determining the percentage of oranges in any lot which are smaller than $2\frac{5}{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2\frac{1}{16}$ inches in diameter or smaller; or

(iii) Any Temple oranges, grown in the production area, which are of a size smaller than $2\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title).

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 25, 1959.

S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59–10089; Filed, Nov. 27, 1959; 9:18 a.m.]

[Grapefruit Reg. 317]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.990 Grapefruit Regulation 317.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 24, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title); and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, Chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (Chapters 25149 and 28090) and also by section 601.18, as amended June 22, 1955 (Chapter 29760).

(2) During the period beginning at 12:01 a.m., e.s.t., November 30, 1959, and ending at 12:01 a.m., e.s.t., December 14, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any seeded grapefruit, grown in the production area, which are not ma-

ture and do not grade at least U.S. No. 1 Bronze;

(ii) Any white seeded grapefruit, grown in the production area, which are smaller than 3 15/16 inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit;

(iii) Any pink seeded grapefruit, grown in the production area, which are smaller than 3 15/16 inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit;

(iv) Any seedless grapefruit, grown in the production area, which are not mature and do not grade at least U.S. No. 1: *Provided,* That such grapefruit may have discoloration to the extent permitted under the U.S. No. 2 Russet grade, and may have slightly rough texture caused only by speck type melanose; or

(v) Any seedless grapefruit, grown in the production area, which are smaller than 3 9/16 inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 25, 1959.

S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59–10088; Filed, Nov. 27, 1959; 9:18 a.m.]

[Tangerine Reg. 212]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS, GROWN IN FLORIDA

Limitation of Shipments

§ 933.991 Tangerine Regulation 212.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangerines, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 24, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, and standard pack, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., November 30, 1959, and ending at 12:01 a.m., e.s.t., December 7, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangerines, grown in the production area, that do not grade at least U.S. No. 1; or

(ii) Any tangerines, grown in the production area, that are of a size smaller than the size that will pack 176 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches; capacity 1,726 cubic inches).

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 25, 1959.

S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59–10091; Filed, Nov. 27, 1959; 9:18 a.m.]

[Tangelo Reg. 18]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 933.992 Tangelo Regulation 18.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangelos, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 24, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this

meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangelos; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangelos, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box as used in this section, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F.R. 6676).

(2) During the period beginning at 12:01 a.m., e.s.t., November 30, 1959, and ending at 12:01 a.m., e.s.t., December 14, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangelos, grown in the production area, which do not grade at least U.S. No. 1 Bronze; or

(ii) Any tangelos, grown in the production area, which are of a size smaller than 2$\frac{2}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title).

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 25, 1959.

S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59–10090; Filed, Nov. 27, 1959; 9:18 a.m.]

[Lemon Reg. 821]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.928 Lemon Regulation 821.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based become available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on November 24, 1959.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., November 29, 1959, and ending at 12:01 a.m., P.s.t., December 6, 1959, are hereby fixed as follows:

(i) District 1: 37,200 cartons;
(ii) District 2: 116,250 cartons;
(iii) District 3: 41,850 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 25, 1959.

S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59–10087; Filed, Nov. 27, 1959; 9:18 a.m.]

[Milk Order 63]

PART 963—MILK IN THE GREAT BASIN MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Great Basin marketing area (7 CFR Part 963), it is hereby found and determined that:

(a) The following provision of the order, will not tend to effectuate the declared policy of the Act, during the months of November and December, 1959:

In § 963.11(a) the provision "(1) there are disposed of on routes fluid milk products equal to not less than 50 percent of the total of receipts at the plant of milk from dairy farmers meeting the inspection requirements described in § 963.7, milk diverted pursuant to § 963.7 by the handler operating the plant, and other fluid milk products qualified for distribution for fluid consumption received at the plant, and (2)".

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension order is necessary to insure that all plants which are primarily associated with the Great Basin market will retain pool plant status.

(4) This suspension order was requested by producers associations representing over 80 percent of all producers on the market.

(5) Time does not permit the public procedure incident to an appropriate amendment of the order and this suspension action will provide interim relief until such time as an appropriate amendment can be made.

Therefore, good cause exists for making this order effective November 1, 1959.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended effective November 1, 1959, for the period November 1, 1959, through December 31, 1959.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Issued at Washington, D.C., this 25th day of November 1959.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59–10099; Filed, Nov. 27, 1959; 10:19 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Special Labeling for Cranberries and Cranberry Products From 1958 and 1959 Crops

Because of the unusual situation now prevailing and the desire to have stocks of acceptable cranberries and cranberry products available for the forthcoming holiday season, the following policy is announced after discussion with the cranberry industry. This should enable consumers to purchase cranberries and cranberry products with assurance that the particular lot being offered has been examined and found free of contamination with aminotriazole. Therefore, under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055, as amended; 21 U.S.C. 371(a)) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F.R. 1045, 23 F.R. 9500), and pursuant to the provisions of the Administrative Procedure Act (sec. 3, 60 Stat. 237, 238; 5 U.S.C. 1002), the following statement of policy is added to Subpart B of Part 3:

§ 3.208 Special labeling for cranberries and cranberry products from 1958 and 1959 crops.

(a) (1) When samples of a lot have been examined by the Food and Drug Administration and found to be free of aminotriazole, the distributors of such lots will be authorized to place on such container the following statement:

Examined and passed by the Food and Drug Administration of the Department of Health, Education, and Welfare.

(2) In addition, where packers and distributors subject their lots of cranberries and cranberry products to testing, using sampling procedures and testing methods consistent with the methods and procedure used by the Food and Drug Administration, such lots found free of aminotriazole are authorized to bear the following statement:

Certified safe under plan approved by the United States Government for cranberries.

(Signed) _____
(Name of company)

(3) This program is designed to insure opportunity for proper testing of fresh and processed cranberry products in all stages of marketing, wholesale and retail, before they are offered to the consuming public. Misuse of the approved statements is to be regarded as a misbranding within the meaning of the Federal Food, Drug, and Cosmetic Act.

(b) The procedures and testing methods specified in paragraph (a) of this section, are as follows:

(1) *Sampling and examination of cranberries*—(i) *Canned products in possession of wholesale or retail groceries.* (a) Select 1 can from each of 24 cases, selected at random, of each code. Analyze a composite made up of equal portions from 12 cans of each code in accordance with the Food and Drug Administration method in paragraph (c) of this section. If the analytical result shows less than 0.15 part per million on an uncorrected basis, this is interpreted as meaning there is no aminotriazole present and the code lot is passable.

(b) If the analytical result on the composite from 12 cans shows 0.15 part per million or more, on an uncorrected basis, this is interpreted as meaning there is aminotriazole present and the lot will be destroyed.

(ii) *For canned products in warehouse lots in the possession of canners (when each code represents a single day's pack or less).* From each code, select the following number of cases at random from which to draw the sample.

	Cases
For code containing less than 100 cases	12
For code containing 100 cases to 200 cases	24
For code containing 200 cases or more	36

Select 1 can from each of the 12 (or 24 or 36) cases.

Analyze composites made up of equal portions of 12 cans (1, 2, or 3 composites), and interpret results as in subdivision (i) of this subparagraph (i.e., if all analytical results show less than 0.15 part per million on an uncorrected basis, the lot is passable; if one or more composites show 0.15 part per million or more on an uncorrected basis, the lot will be destroyed).

(iii) *Fresh packaged.* Select 1 package, at random, from each of 24 cases, cartons, or bags from each code, grower's mark, or other identifiable lot. Analyze and interpret results as under subdivision (i) of this subparagraph.

(iv) *Fresh or frozen bulk.* Sample each lot separately. (A lot is a stock of cranberries from a single bog, or bearing a separate code.) From each lot, select the following number of bulk containers at random from which to draw the sample:

	Bulk containers
For lot containing less than 25,000 pounds	12
For lot containing between 25,000 and 50,000 pounds	24
For lot containing more than 50,000 pounds	36

Select 2 pounds from each of the 12 (or 24 or 36) bulk containers.

Analyze composites made up of equal portions from 12 subdivisions (1, 2, or 3 composites) and interpret results as in subdivision (i) of this subparagraph (i.e., if all analytical results show less than 0.15 part per million on an uncorrected basis, the lot is passable; if one or more composites show 0.15 part per million or more on an uncorrected basis, the lot will be destroyed).

(c) The Food and Drug Administration method of examination is as follows:

DETERMINATION OF 3-AMINO-1,2,4-TRIAZOLE (ALSO KNOWN AS AMINOTRIAZOLE OR 3-AT) IN FRESH CRANBERRIES AND CANNED CRANBERRY PRODUCTS

Reagents. A. 3-Amino-1,2,4-triazole standard solution. If the pure material (melting point 157°–158° C.) is not available, recrystallize the technical grade twice from 95 percent ethyl alcohol. Weigh 125.0 milligrams of the pure material, dissolve in distilled H_2O and make to 500 milliliters. Take 20-milliliter aliquot and dilute to 100 milliliters. Each milliliter of this dilution contains 50 micrograms of aminotriazole.

B. Cation exchange resin. Amberlite IR-120 16-50 mesh (hydrogen form).

C. Chromotropic acid-disodium salt. EK P230 or equivalent. (4-5 dihydroxynaphthalene-2,7-di-sulfonic acid (disodium salt)) 0.0025 *M* (100 milligrams/100 milliliters distilled H_2O). Prepare fresh. Do not use if older than 3 hours. Keep in the dark.

D. Sodium nitrite solution (ACS). 0.01 *M* (69 milligrams/100 milliliters distilled H_2O). Prepare fresh daily.

E. Trichloroacetic acid (ACS). 5 percent (weight/volume) in distilled H_2O. Prepare fresh daily.

F. Adsorption alumina (Merck's reagent alumina for chromatography was used.)

G. Hydrogen peroxide, ACS 3 percent in methanol: Dilute 10 milliliters of 30 percent H_2O_2 to 100 milliliters with methanol. Prepare fresh daily.

H. Ammonium hydroxide ACS 2 *N* 133 milliliter-concentration reagent diluted to 1 liter.

I. Hydrochloric acid ACS 5 *N* 427.5 milliliter-concentration reagent diluted to 1 liter.

J. Methanol C.P., absolute, low in acetone (Baker).

K. Methanol 80 percent. Add 200 milliliters distilled H_2O to 800 milliliters reagent J.

Extraction of sample. Weigh 200 grams of well mixed sample into a tared beaker. Place sample in a blender and comminute with 250 milliliters 80 percent methanol for 2 minutes to 3 minutes. Decant slurry into a liter beaker. Mash blender jar and cap into beaker with about 150 milliliters 80 percent methanol. Let mixture stand for 1 hour (to precipitate pectins, etc.). Filter the blender material through 15-centimeter Buchner funnel using 2 (one on top of other) S&S 18½-centimeter Sharkskin or equivalent filter paper. Suck dry and press out filter cake, especially at edges, with a beaker bottom. Wash filter cake with 150 milliliters of 80 percent methanol in several portions. Transfer filtrate to liter beaker using 10 milliliter–20 milliliter 80 percent methanol to rinse filter flask. (Filtrate may stand overnight.) Add 50 milliliters 3 percent H_2O_2 (reagent G) and heat on steam bath until bright-red color fades to orange-yellow, then cool immediately to room temperature.

Isolation of 3-aminotriazole. Place a small pledget of glass wool in the bottom of a 100-milliliter burette (or glass chromatography column 40 centimeters-65 centimeters long and 20 millimeters ID fitted with piece of rubber tubing with clamp to control flow) and introduce 23 milliliters-25 milliliters of wet Amberlite IR 120 resin.

When first using resin it is best to activate it, then exhaust it, and then reactivate. Therefore, first pass about 200 milliliters of 5 *N* HCl through the column at a rate of about 10 milliliters per minute, then wash with 150 milliliters H_2O and exhaust by passing 200 milliliters of 2 *N* NH_4OH through the column and again wash with about 150 milliliters of distilled H_2O. Finally reactivate with 200 milliliters of 5 *N* HCl and wash with 150 milliliters of distilled H_2O. After the last wash, and just prior to the addition of the sample extract, equilibrate by passing 100 milliliters of 80 percent methanol through the column. These solutions and the sample extract should be put through the columns at about 10 milliliters per minute. Never allow the surface of the columns to become dry.

(Sample solutions should not be allowed to remain on columns or in alkaline solution.)

Percolate the sample extract through the prepared column (it is convenient to use separatory funnel as reservoir). When all the extract has passed through, wash the column with 200 milliliters of 80 percent methanol followed by 100 milliliters of distilled H_2O. Discard the percolate and washings.

Elute adsorbed aminotriazole with 200 milliliters of 2 *N* NH_4OH followed by 150 milliliters of distilled H_2O. Collect in 600-milliliter beaker, evaporate on hot plate just below the boiling point with gentle stream of air to about 75 milliliters. This should eliminate ammonia and bring pH to 7–8 (universal paper). Add 10 milliliters of 5 percent trichloroacetic acid. This should make the solution acid (pH 2, universal paper). If not acid, heat again, add an additional 5 milliliters of 5 percent trichloroacetic acid and concentrate to about 30 milliliters. (Determination may be left overnight after evaporation to 75 milliliters and made acid with trichloroacetic acid.)

(Regenerate column by passing about 200 milliliters of 5 *N* HCl through it, followed by 100 milliliters distilled H_2O and 100 milliliters of 80 percent methanol. Pass this methanol solution through column just prior to next sample extract. Column may be reused four to six times.) Clarification of alumina column.

Place about 15 milliliters alumina (reagent F) in an 18-milliliter to 20-milliliter ID chromatographic tube fitted with stopcock (or rubber tube and pinch clamp) and with pledget of glass wool in the bottom. Add dry alumina in several portions and tap outside of column until well settled. Then tamp surface of alumina with flattened glass rod. Carefully add about 30 milliliters of distilled H_2O and let it percolate through the column until surface of H_2O is just above top of column, then close stopcock. Cover top surface of alumina with circle of hardened filter paper.

Pass the concentrated eluate from resin column through a rapid filter paper onto the prepared alumina column. Collect eluate at rate of 1 drop per 2 seconds in a 200-milliliter beaker. When the last of the solution just reaches the column surface rinse filter and column with 50 milliliters of distilled H_2O in several portions at same elution rate. Eluate should be practically colorless, but may be slightly opalescent. Gentle air pressure may be used if necessary. (The same column may usually be used for three to four samples.) Do not allow surface to become dry.

Evaporate the eluate to about 15 milliliters on hot plate just below the boiling point with a gentle stream of air, filter into 20-milliliter volumetric flask (S&S 589, white ribbon, 7 centimeter), rinsing filter with several small portions of distilled water. Make to volume with distilled H_2O. Color should be developed within 2 hours since it decomposes on standing. Do not allow to stand overnight.

Determination. Place exactly 2.0 milliliters of the sample solution and 4.5 milliliters of 5 percent trichloroacetic acid in 1" x 8" test tube. As a blank, use 2.0 milliliters of distilled H_2O and 4.5 milliliters of trichloroacetic acid.

To each tube (including blank) add 0.2-milliliter of $NaNO_2$ solutions. Swirl several times. Wait 5 minutes, then add 0.2 milliliter of chromotropic acid reagent and mix. Place tubes in a boiling water bath for exactly 2.5 minutes with occasional agitation, then remove and plunge into cold water (10 ° C. or below) and shake to cool quickly. Transfer solutions to 2.0-centimeter absorption cells and read at 500 millimicrons against blank. Six to seven samples with blank may be run simultaneously for color development. Color remains relatively stable for 10 minutes to 20 minutes. 1.0-centimeter cells may be substituted if 2.0-centimeter cells are not available. Prepare fresh blank with each batch of standard or unknown.

Prepare series of standards (4–5 conveniently spaced) from 1 microgram to 50 micrograms per each 2.0 milliliters, add 4.5 milliliters of 5 percent trichloroacetic acid and develop color as above. Plot absorbancy against micrograms of aminotriazole to obtain standard curve. From the absorbancy reading and standard curve, obtain micrograms of aminotriazole in 2.0 milliliters of sample solution, and multiply by

$$\frac{25}{2.0\times200}$$

to obtain parts per million.

On samples showing significant color indicative of aminotriazole, confirm by comparing absorbance curve with that obtained from a standard aminotriazole solution of comparable strength developed in the same manner.

(d) *Laboratories.* The Food and Drug Administration will verify to the extent it deems necessary, the facilities, procedures, and validity of results of all laboratories. In contracting with laboratories, the cranberry industry shall require such laboratories to furnish the Food and Drug Administration, upon its request, such information and samples deemed necessary to validate findings.

(Sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371. Interpret or apply sec. 403(a), 52 Stat. 1048; 21 U.S.C. 343)

Dated: November 23, 1959.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 59–10066; Filed, Nov. 27, 1959; 8:50 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tolerances for Residues of Sodium 2,2-Dichloropropionate

A petition was filed with the Food and Drug Administration by The Dow Chemical Company, Midland, Michigan, requesting the establishment of tolerances for residues of sodium 2,2-dichloropionate, as 2,2-dichloropropionic acid, in or on certain raw agricultural commoditites. The petitioner later withdrew his request for tolerances on all commodities in this petition except cranberries and peaches.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which tolerances are being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 1958 Supp., 120.7(g)), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 1958 Supp., 120.150) are amended by changing § 120.150 to read as follows:

§ 120.150 Tolerances for residues of sodium 2,2-dichloropropionate.

Tolerances for residues of sodium 2,2-dichloropropionate, as 2,2-dichloropropionic acid, in or on raw agricultural commodities, are established as follows:

(a) 75 parts per million in or on flaxseed.

(b) 35 parts per million in or on cottonseed.

(c) 30 parts per million in or on asparagus.

(d) 15 parts per million in or on peaches.

(e) 10 parts per million in or on potatoes.

(f) 5 parts per million in or on cranberries, sugar beets (roots), sugar beets (tops).

(g) 3 parts per million in or on apples, grapes, pears, pineapples.

(h) 1 part per million in or on apricots, plums.

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date thereof, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person will be adversely affected by this order, specify with particularity the provisions of the order deemed objectionable and reasonable grounds for the objections, and request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: November 20, 1959.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner, of Food and Drugs.

[F.R. Doc. 59–10026; Filed, Nov. 27, 1959; 8:46 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 2]

APPEALS FROM ADMINISTRATIVE ACTIONS

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Revised Statutes, sections 161, 463, and 465 (5 U.S.C. 22; 25 U.S.C. 2 and 9), it is proposed to add a new part to Title 25 of the Code of Federal Regulations to read as set forth below. The purpose of these regulations is to provide procedures by which persons dealing with the Bureau of Indian Affairs may obtain review of decisions made by officials of that Bureau.

Interested persons may submit written comments, suggestions or objections, with respect to the proposed regulations to the Commissioner, Bureau of Indian Affairs, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

NOVEMBER 25, 1959.

PART 2—APPEALS

Subpart A—General

Sec.
2.1 Definitions.
2.2 Applicability.
2.3 Who may appeal.
2.4 Notice of administrative action.

Subpart B—Appeals to the Area Director or to the Commissioner

2.10 Appeal, how taken; time limit.
2.11 Service of petition and of other documents.
2.12 Answers.
2.13 Action by Area Director or Commissioner on appeal.
2.14 Effect of failure to appeal.

Subpart C—Appeals to the Secretary

2.21 Right of appeal to the Secretary.
2.22 Appeal, how taken; time limit.
2.23 Service of petition and of other documents.
2.24 Answers.
2.25 Finality of decision.

Subpart D—Procedures

2.31 When a document is filed.
2.32 Record address.
2.33 Service.
2.34 Computation of time for filing and service.
2.35 Extensions of time.
2.36 Summary dismissal.
2.37 Scope of review.

AUTHORITY: §§ 2.1 to 2.37 issued under R.S. 161, 463, 465; 5 U.S.C. 22, 25 U.S.C. 2, 9.

Subpart A—General

§ 2.1 Definitions.

As used in this part:

(a) "Person" includes any Indian or non-Indian individual, corporation, tribe, or other organization.

(b) "Interested party" means any person whose interests would be adversely affected by proceedings conducted under this part.

(c) "Petitioner" means any person who files an appeal under this part.

(d) "Appeal" means a written request for correction of an action or decision claimed to violate a person's legal rights or privileges.

(e) "Complaint" means a written request for correction or reconsideration of an action or decision claimed to be legally or administratively incorrect but not violative of the complainant's own legal rights or privileges.

(f) "Right" means a favorable position in a legal relationship the continued enjoyment of which may not be withdrawn save by a change in fundamental constitutional law.

(g) "Privilege" means a favorable position in a legal relationship the continued enjoyment of which may be withdrawn only upon a change in law, statute or regulations upon which the relationship is based.

§ 2.2 Applicability.

This part provides appeals procedures for requesting correction of actions or decisions by officials of the Bureau of Indian Affairs where the action or decision is protested as a violation of a right or privilege of the appellant. Such rights must be based upon applicable federal statutes, treaties, or upon Departmental regulations. Such regulations appear in the FEDERAL REGISTER and, where of general application in Indian affairs, in Title 25 of the Code of Federal Regulations. "Appeals" shall be processed in accordance with the regulations in this part. "Complaints", on the other hand, may be either informally or formally made and ordinarily first presented to the office immediately responsible for the action or decision questioned and thereafter if necessary to higher officials. An action or decision which is subject to appeal shall be reduced to writing by the official making the decision either at his own instance or upon request of the petitioner. The appeal procedures in this part do not apply to decisions made under statutes or other regulations which provide specific appeals procedures, nor to "complaints."

§ 2.3 Who may appeal.

In accordance with the procedures in this part, any interested party adversely affected by a decision of an official under the supervision of an Area Director of the Bureau of Indian Affairs may appeal to the Area Director; an appeal may be taken to the Commissioner of Indian Affairs from a decision of the Area Director; and an appeal may be taken to the Secretary of the Interior from a decision of the Commissioner.

§ 2.4 Notice of administrative action.

Notice shall be given of any action taken or decision made from which an appeal may be taken under the regulations in this part, to any Indian or Indian tribe whose legal rights or privileges are affected thereby. This notice shall be in writing and shall be given by the official making the decision or taking the action. Failure to give such notice shall not affect the validity of the action or decision, but the right to appeal therefrom shall continue under the regulations in this part for the periods hereinafter set forth.

Subpart B—Appeals to the Area Director or to the Commissioner

§ 2.10 Appeal, how taken; time limit.

(a) An interested party who wishes to appeal to the Area Director or Commissioner shall initiate his appeal by filing a written petition with the official who made the decision. Such official if requested by an Indian or Indian tribe shall render such assistance as is appropriate in the preparation of any appeal by an Indian or Indian tribe. The petition should give an identification of the case, a statement of reasons for the appeal and any arguments the petitioner wishes to make. The petition must be received in such office within 20 days after the date of the mailing of the notice of the decision complained of to the petitioner unless further time is granted pursuant to the regulations in this part. The petitioner also may file an additional written statement of reasons and arguments or briefs with the Area Director or the Commissioner within 10 days after the filing of the petition.

(b) Whether or not the decision complained of will be suspended during the appeal will be within the discretion of the officer to whom the appeal is made. He may require an adequate bond to protect the interest of any Indian, Indian tribe, or other parties involved.

§ 2.11 Service of petition and of other documents.

(a) The petitioner, or the officer with whom the petition is filed when the petitioner is an Indian or Indian tribe not represented by counsel, shall serve a copy of the petition and of any additional written statement of reasons, arguments, or briefs on each interested party known to him as such, in the manner prescribed in § 2.33, at the time of filing thereof. Failure to serve within the time required may subject the appeal to summary dismissal as provided in § 2.36. Proof of such service as required by § 2.33 must be filed with the Area Director or Commissioner within 15 days after service unless filed with the petition or with the additional statement of reasons, arguments or briefs.

§ 2.12 Answers.

If any party served with a petition wishes to participate in the proceeding on appeal, he must file a written answer within 20 days after service of the petition upon him. If an additional statement of reasons is filed by the petitioner, the interested party shall have 10 days after service thereof within which to an-

swer. Answers must be filed with the Area Director, the Commissioner, or other Bureau employee with copy to the Commissioner, whichever is appropriate, and be served on the petitioner in the manner prescribed in § 2.33 at the time the answer is filed. Proof of such service, as required by § 2.33, must be filed with the Area Director or the Commissioner within 15 days after service. If an answer is not filed within the time required, a default will not result but the answer may be disregarded in deciding the appeal.

§ 2.13 Action by Area Director or Commissioner on appeal.

The Commissioner or the Area Director will render a written decision in each case appealed to him, copies of which will be mailed to all interested parties.

§ 2.14 Effect of failure to appeal.

When any party fails to appeal a decision of the Superintendent, Area Director, or the Commissioner, that decision shall be final as to such party and will not be disturbed except for fraud or gross irregularity, or where it is found by higher authority that the failure to appeal on the part of an Indian or Indian tribe would result in an injustice to the Indian or Indian tribe.

Subpart C—Appeals to the Secretary

§ 2.21 Right of appeal to the Secretary.

Any party adversely affected may file an appeal from a decision of the Commissioner to the Secretary except a decision which received the Secretary's approval at the time it was made.

§ 2.22 Appeal, how taken; time limit.

(a) An interested party who wishes to file an appeal from a decision of the Commissioner to the Secretary must file a written petition with the Commissioner that he wishes to appeal. The petition must give an identification of the case, a statement of the reasons for the appeal and any arguments the petitioner wishes to make. The petition must be received in such office within 20 days after the date of the mailing of the notice of the decision complained of to the petitioner. The petitioner also may file an additional statement of reasons, arguments, or briefs with the Commissioner or Secretary within 10 days after the filing of the petition.

(b) Whether or not the decision complained of will be suspended during the appeal will be within the discretion of the Secretary. He may require an adequate bond to protect the interest of any Indian, Indian tribe, or other parties involved.

§ 2.23 Service of petition and of other documents.

The petitioner, or the Commissioner when the petitioner is an Indian or Indian tribe not represented by counsel, shall serve a copy of the petition and any accompanying written statement of reasons, arguments or briefs on each interested party known to him as such, in the manner prescribed in § 2.33 at the time of filing the petition and at the time of filing any additional statement of reasons, arguments or briefs. Failure to serve within the time required may subject the appeal to summary dismissal as provided in § 2.36. Proof of such service as required by § 2.33 must be filed with the Secretary within 15 days after service unless filed with the petition or with the additional statement of reasons, arguments or briefs.

§ 2.24 Answers.

If a party served with a petition wishes to participate in the proceeding on appeal, he must file a written answer within 20 days after service of the petition upon him. If an additional statement of reasons is filed by the petitioner, the interested party shall have 10 days after service thereof within which to answer. Answers must be filed with the Secretary and be served on the petitioner in the manner prescribed in § 2.33 at the time the answer is filed. Proof of such service as required by § 2.33 must be filed with the Secretary within 15 days after service. If an answer is not filed within the time required, default will not result but the answer may be disregarded in deciding the appeal.

§ 2.25 Finality of decision.

No further right of appeal or request for reconsideration exists within the Department of the Interior from a decision of a Secretarial Officer, except when he finds as a matter of discretion that reconsideration should be had in order to avoid injustice and such decision shall constitute the final administrative action. Copies of such decision will be mailed to all interested parties.

Subpart D—Procedures

§ 2.31 When a document is filed.

A document is properly filed when received in the office of the official with whom the filing is required during regular office hours. No degree of formality is required, a simple letter will suffice, and the appellant need not be represented by counsel. An appeal by an Indian or Indian tribe received in an office other than that to which it should be properly addressed shall be transmitted to the proper office and the appellant advised. If such office is unknown where received, it shall be returned to the writer.

§ 2.32 Record address.

Every interested party who files a document in connection with an appeal shall state his address at the time of initial filing in the matter. Thereafter, he must promptly inform the official with whom the filing was made of any change in address, giving appropriate identification of all matters in which he has made such a filing; otherwise, the address as stated shall be accepted as the proper address. The successors of such party shall likewise promptly inform the official of their interest in the matter and state their addresses. If an interested party fails to furnish his address as required in this section, he will not be entitled to notice in connection with the proceedings.

§ 2.33 Service.

(a) Wherever this regulation requires that a copy of a document be served, service shall be made by delivering the copy personally or by sending the document by registered or certified mail, return receipt requested, to the address of record as required in § 2.32. Where a tribe is an interested party, service shall be made on the authorized tribal official or tribal governing body. Notice of a decision is sufficient if mailed by regular mail.

(b) A document will be considered to have been served at the time (1) of acknowledgment, (2) of personal service, (3) of delivery of a registered or certified letter, or (4) of the return by the post office of an undelivered registered or certified letter.

(c) In all cases where a party is represented by an attorney, such attorney will be recognized as fully controlling the same on behalf of his client, and service of any document relating to the proceeding upon such attorney shall be deemed to be service on the party he represents. Where a party is represented by more than one attorney, service upon one of the attorneys shall be sufficient.

§ 2.34 Computation of time for filing and service.

In computing any period of time prescribed herein for filing or serving a document, the day upon which the decision or document to be appealed or answered was mailed or served, or the day of any other event after which the designated period of time begins to run, is not to be included. The last day of the period so computed is to be included unless it falls upon a Sunday, legal holiday, or other nonwork day.

§ 2.35 Extensions of time.

The period for filing or serving any document may be extended or waived on behalf of an interested party by the officer to whom the appeal is taken, for good cause found by the officer. The Secretary may extend or waive any time limitation where he finds such extension or waiver will prevent an injustice to an Indian or Indian tribe.

§ 2.36 Summary dismissal.

An appeal to the Area Director, Commissioner or the Secretary may be subject to summary dismissal by the officer to whom it is made for any of the following causes:

(a) If a statement of the reasons for the appeal is not included in the petition.

(b) If the petition or additional statement of reasons in support of the appeal are not received or not served upon the interested parties within the time required.

(c) If proof of service of any document is not filed within the time required.

No appeal on behalf of an Indian or Indian tribe shall be dismissed on procedural grounds unless the Indian or Indian tribe shall be informed of the procedural defect and be given an opportunity to correct such defect.

§ 2.37 Scope of review.

When a matter is before an official of the Bureau of Indian Affairs or higher echelon of the Department of the In-

terior on appeal, any information available to the reviewing officer may be used whether formally part of the record, if any, or not, but where reliance is placed on information not of record such information shall be identified as to source and nature.

[F.R. Doc. 59-10098; Filed, Nov. 27, 1959; 8:55 a.m.]

National Park Service

[36 CFR Part 5]

NATIONAL CEMETERY REGULATIONS

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), it is proposed to amend 36 CFR Part 5 by bringing the entire Part in harmony with present operating procedures.

The proposed amendment relates to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003); however, it is a policy of the Department of the Interior that, wherever practicable, the rule making requirements be observed voluntarily.

Accordingly, interested persons may submit, in triplicate, written comments, suggestions, or objections with respect to the proposed amendment to the National Park Service, Washington 25, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

[F.R. Doc. 59-10123; Filed, Nov. 27, 1959; 12:02 p.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

[15 CFR Part 30]

FOREIGN TRADE STATISTICS

Preparing Import Entries and Withdrawals

Pursuant to section 4(a) of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003) and the authority contained in revised statutes 336, 337, and 161, as amended (15 U.S.C. 173, 174, and 5 U.S.C. 22), notice is hereby given that the Department of Commerce, Bureau of the Census, is considering a proposal to make effective as of January 1, 1960, the following Foreign Commerce Statistical Decision 77, which affects the preparation by importers and others of import entries and withdrawals.

Statistical Decision 77 proposes changes in the Code of Federal Regulations whereby "United States Import Duties Annotated for Statistical Reporting"[1] is to be used in place of Schedule A, "Statistical Classification of Commodities Imported Into the United States," insofar as Schedule A has been used by importers or others as the basic reporting manual in preparing import entry and withdrawal forms for merchandise imported into the United States. Import statistics will continue to be compiled and published in Schedule A terms and arrangement as in the past. The new "U.S.I.D. Annotated," however, will facilitate furnishing the statistical information required on entry forms by presenting the requirements in terms and arrangement of the Tariff Act rather than in Schedule A terms and arrangement.

"U.S.I.D. Annotated," prepared by the Bureau of the Census in cooperation with the United States Tariff Commission and the Treasury Department, is a reproduction of "United States Import Duties" (1958), but is annotated to include the statistical detail and the new 8-digit numbers to be reported on the entry forms starting January 1, 1960.

The proposal provides that importers must furnish statistical information on import entry and withdrawal forms (Customs Forms 7501, 7502, etc.) filed on or after January 1, 1960, by substituting "U.S.I.D. Annotated" requirements in all cases where Schedule A requirements are specified on the entry or withdrawal forms. These forms will be changed to refer to "U.S.I.D. Annotated" requirements when they are next revised. An explanation of the correct way to prepare an import entry form in accordance with the requirements of "U.S.I.D. Annotated" also appears in the "U.S.I.D. Annotated."

The "U.S.I.D. Annotated" was announced in Bureau of the Census Circular Letter No. FT-266, dated November 12, 1959, sent to Collectors of Customs, importers, and others concerned. A sample page of "U.S.I.D. Annotated" was included as a part of the Circular Letter, which is available upon request to Collectors of Customs, Department of Commerce Field Offices, and the Bureau of the Census, Washington 25, D.C. A complete copy of "U.S.I.D. Annotated" is available for inspection at the National Archives and Record Service, Washington 25, D.C.

FOREIGN COMMERCE STATISTICAL DECISION 77

1. Paragraph (a) of § 30.6 is amended, effective January 1, 1960, to read as follows:

(a) The kinds, quantities, and values of all imported articles shall be ascertained from the entries. Collectors of Customs shall require entries of imported merchandise to contain the information required in "United States Import Duties Annotated for Statistical Reporting,"[1] as prescribed by the Secretary of the Treasury, the Secretary of Commerce, and the Chairman of the United States Tariff Commission. Tons, where required, should be long tons of 2,400 pounds as construed in section 2951, revised statutes (19 U.S.C. 420), unless short tons are specified.

2. Paragraphs (a) and (b) of § 30.24 are amended, effective January 1, 1960, to read as follows:

(a) Statistical copies of entries and withdrawals must describe the merchandise in the detail required by "United States Import Duties Annotated for Statistical Reporting"[1] of the Department of Commerce. Collectors will insert the code numbers of district, port, country and flag in the proper columns and forward the entries to the New York Office, in accordance with the procedure outlined in the Treasury decisions.

(b) Collectors may insert the reporting number and unit of quantity for commodities if they find it convenient to do so while examining entries for compliance with the commodity classification required by "United States Import Duties Annotated for Statistical Reporting."

3. Paragraph (b) of § 30.27 is amended, effective January 1, 1960, to read as follows:

(b) Consular invoices of gold, silver, copper, lead, zinc, tin, and other metals in ore or base bullion are required to show separately the quantities and values of each of the metals contained therein. In accordance with commodity classifications required by "United States Import Duties Annotated for Statistical Reporting."[1]

(R.S. 161; 5 U.S.C. 22. Interpret or apply R.S. 335, as amended, 336, as amended, 337, as amended, 4200, as amended, sec. 1, 18 Stat. 352, as amended, sec. 1, 27 Stat. 197, as amended, 32 Stat. 172, as amended, sec. 7, 44 Stat. 572, as amended, sec. 1, 52 Stat. 8; 15 U.S.C. 173, 174, 176(a), 177, 178, 46 U.S.C. 92, 95, 49 U.S.C. 177)

Any suggestions or recommendations concerning the proposed change should be submitted in writing to the Director, Bureau of the Census, Washington 25, D.C., within 30 days from the publication date of the notice and will receive consideration.

[SEAL] ROBERT W. BURGESS,
Director,
Bureau of the Census.

[F.R. Doc. 59-10046; Filed, Nov. 27, 1959; 8:49 a.m.]

[1] Filed as part of the original document.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 26]

BARLEY

Official Grain Standards of the United States

Pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003) notice is hereby given that the United States Department of Agriculture has under consideration proposed changes in the Official Grain Standards of the United States for Barley (7 CFR 26.201–26.203) promulgated under the authority of the United States Grain Standards Act (39 Stat. 482), as amended (7 U.S.C. 74).

The Malting Barley Improvement Association has requested that consideration be given to changing the limits of skinned and broken kernels in grades No. 2 and 3 for the subclasses Malting Barley and Blue Malting Barley of the class Barley from 7.0 and 10.0 percent to 6.0 and 8.0 percent, respectively. In order to make these changes, it will be

necessary to change the limits of skinned and broken kernels in the definition of the subclass Malting Barley and to change the maximum limits for the grading factor skinned and broken kernels in the table of grades and grade requirements for the subclasses Malting Barley and Blue Malting Barley of the class Barley.

It is proposed to amend subparagraph (1) of § 26.201(c) and paragraph (b) of § 26.203 to read, respectively, as follows:

§ 26.201 Terms defined.

* * * * *

(c) *Barley.*

* * * * *

(1) *Malting Barley.* The subclass Malting Barley shall be six-rowed barley of the class Barley which has 90 percent or more of the kernels with white aleurone layers; which is not semi-steely in mass; which after the removal of dockage, contains not more than 5 percent of two-rowed and/or other unsuitable malting types or varieties of barley such as Trebi, 4.0 percent damaged kernels, 3.0 percent foreign material, 8.0 percent skinned and broken kernels, 15 percent thin barley, 2.0 percent black barley, and 5.0 percent other grains; which has a minimum test weight per bushel of 43 pounds; which contains a minimum of 90 percent of sound barley; which does not contain barley injured by frost or heat; which is not smutty, garlicky, weevily, ergoty, or bleached; and which otherwise meets the requirements of grades Nos. 1 to 3, inclusive, of the subclass Barley.

§ 26.203 Grades, grade requirements, and grade designations.

* * * * *

(b) *Grades and grade requirements for the subclasses Malting Barley and Blue Malting Barley of the class Barley.* (See also paragraph (g) of this section.)

Grade	Minimum limits of—		Maximum limits of—					
	Test weight per bushel	Sound barley	Damaged kernels	Foreign material	Skinned and broken kernels	Thin barley	Black barley	Other grains
	Pounds	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
1	47	97	2.0	1.0	4.0	7.0	0.5	2.0
2	45	94	3.0	2.0	6.0	10.0	1.0	3.0
3	43	90	4.0	3.0	8.0	15.0	2.0	5.0

NOTE: Barley of the class Barley which does not meet the requirements of any of the grades 1 to 3, inclusive, for the subclasses Malting Barley and Blue Malting Barley shall be classified and graded according to the grade requirements for the subclass Barley.

Informal public hearings will not be held on this proposal to amend the Official Grain Standards of the United States for Barley under the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003), but all persons who desire may submit written data, views, or arguments in connection with the aforesaid proposal to the Director, Grain Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., to be received by him not later than December 28, 1959. All documents should be filed in duplicate. Consideration will be given to the written data, views, and arguments received by the Director and to other information available in the United States Department of Agriculture before a decision is made as to whether the proposed amendment shall be promulgated.

Done at Washington, D.C., this 24th day of November 1959.

ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 59-10042; Filed, Nov. 27, 1959; 8:48 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[1959 Dept. Circular 1034]

4¾ PERCENT TREASURY NOTES OF SERIES A-1964

Offering of Notes

NOVEMBER 19, 1959.

I. *Offering of notes.* The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at 99¾ percent of their face value, for notes of the United States, designated 4¾ percent Treasury Notes of Series A-1964, in exchange for a like face amount of United States Savings Bonds of Series F and G maturing in the calendar year 1960, which will be accepted at exchange values set forth in section IV, Payment. Holders of Series F and G bonds aggregating less than an even multiple of $1,000 maturity value (the lowest denomination of notes available) may exchange such bonds with payment of the difference in cash to make up the next higher $1,000 multiple. Interest on the notes will be adjusted as of December 15, 1959, and an adjustment in favor of subscribers representing the discount from the face value of the notes, will be made as set forth in section IV, Payment, hereof. The amount of the offering under this circular will be limited to the amount of securities, together with cash adjustments, tendered in exchange and accepted. The books will be open only on November 23 through November 30 for the receipt of subscriptions for this issue.

II. *Description of notes.* The notes now offered will be an addition to and will form a part of the 4¾ percent Treasury Notes of Series A-1964 issued pursuant to Department Circular No. 1029, dated July 20, 1959, will be freely interchangeable therewith, and are identical in all respects therewith except that (i) interest on the notes to be issued under this circular will accrue to subscribers from December 15, 1959, and (ii) the notes will also be available registered as to principal and interest, subject to delivery of definitive registered notes as set forth in Paragraph 1 of section VI, and provision will be made for the interchange of coupon and registered notes, and for the transfer of registered notes, under rules and regulations prescribed by the Secretary of the Treasury. Subject to the provisions for the accrual of interest from December 15, 1959, on the notes now offered, and to the provisions relating to their availability in registered form, the notes are described in the following quotation from Department Circular No. 1029:

1. The notes will be dated July 20, 1959, and will bear interest from that date at the rate of 4¾ percent per annum, payable on a semiannual basis on November 15, 1959, and thereafter on May 15 and November 15 in each year until the principal amount becomes payable. They will mature May 15, 1964, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000, $1,000,000, $100,000,000 and $500,000,000. * * *

5. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington. Banking institutions generally, and paying agents eligible to process bonds under Treasury Department Circular No. 888, Revised, may submit exchange subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject or reduce any subscription, and to allot less than the amount of notes applied for; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. Payment. 1. Payment for the face amount of notes allotted hereunder must

be made on or before December 15, 1959, or on later allotment, and may be made only in a like face amount of United States Savings Bonds of Series F and Series G maturing from January 1 to December 1, 1960, inclusive, and any cash difference necessary to make up an even $1,000 multiple, which bonds and cash should accompany the subscription, together with the net amount of any interest to be collected from the subscriber. The Series F and G bonds will be accepted in the exchange at amounts set forth hereunder for the respective months of maturity. These exchange values have been fixed to provide the holders of such bonds an investment yield approximately 1% more than otherwise would accrue from December 15, 1959, until their respective maturity dates, less an amount equal to the interest which will accrue on the 4¾% Treasury notes during the corresponding period. The effect of these adjustments will also provide for the 4¾% Treasury notes an investment yield of approximately 4.81 percent per annum from the respective maturity dates of the Series F and G bonds to May 15, 1964, the maturity date of such notes. All subscribers will be charged the interest from November 15, 1959, to December 15, 1959 ($4.00 per $1,000) on the notes allotted. Other adjustments with respect to bonds accepted in exchange will be made as set forth in the following tables which also show the net amounts to be paid to or collected from subscribers for each $100 (face amount) of bonds accepted in exchange.

(a) *Series F bonds.* The exchange values of Series F bonds, the differences between such values and the offering price of the 4¾% notes, the interest which will accrue on such notes and the total amounts to be collected from holders of Series F bonds per $100 (face amount) are as follows:

F bonds maturing on the first day of—	Exchange values of F bonds per $100 (face amount)	Charge for differences between $99.75 (offering price per $100 of notes) and exchange values of bonds	Interest to be charged on notes per $100 (face amount) of F bonds	Total amounts to be collected from subscribers per $100 (face amount) of F bonds accepted (columns 2 plus 3)[1]
	Column 1	*Column 2*	*Column 3*	*Column 4*
January 1960	$99.84	−$0.09	$0.40	$0.31
February 1960	99.52	0.23	0.40	0.63
March 1960	99.20	0.55	0.40	0.95
April 1960	98.92	0.83	0.40	1.23
May 1960	98.60	1.15	0.40	1.55
June 1960	98.28	1.47	0.40	1.87
July 1960	97.96	1.79	0.40	2.19
August 1960	97.68	2.07	0.40	2.47
September 1960	97.36	2.39	0.40	2.79
October 1960	97.04	2.71	0.40	3.11
November 1960	96.76	2.99	0.40	3.39
December 1960	96.44	3.31	0.40	3.71

[1] In addition, for each $100, or multiple or fraction thereof, between the face amount of Series F bonds submitted and the face amount of notes subscribed (to next higher multiple of $1,000) the subscriber must pay $100.15 ($99.75 issue price plus $0.40 accrued interest).

(b) *Series G bonds.* The exchange values of Series G bonds, the differences between such values and the offering price of the 4¾% notes, the accrued interest to be credited on the G bonds, the interest which will accrue on the notes and the total amounts to be paid to or collected from holders of Series G bonds per $100 (face amount) are as follows:

G bonds maturing in 1960 on the first day of—	Exchange values of G bonds per $100 (face amount)	Charge for differences between $99.75 (offering price per $100 of notes) and exchange values of bonds	Interest to be credited on G bonds per $100 (face amount)	Interest to be charged on notes per $100 (face amount) of G bonds	Total amounts per $100 (face amount) of G bonds accepted [1]	
					To be paid to subscribers (columns 3 minus 2 and 4)[2]	To be collected from subscribers (columns 2 and 4 minus 3)
	Column 1	*Column 2*	*Column 3*	*Column 4*	*Column 5*	*Column 6*
January	$99.94	−$0.19	$1.15	$0.40	$0.94	----------
February	99.83	−0.08	0.94	0.40	0.62	----------
March	99.72	0.03	0.73	0.40	0.30	----------
April	99.62	0.13	0.52	0.40	----------	$0.01
May	99.51	0.24	0.31	0.40	----------	0.33
June	99.41	0.34	0.10	0.40	----------	0.64
July	99.30	0.45	[3]	0.40	----------	0.95
August	99.19	0.56	0.94	0.40	----------	0.02
September	99.08	0.67	0.73	0.40	----------	0.34
October	98.98	0.77	0.52	0.40	----------	0.65
November	98.87	0.88	0.31	0.40	----------	0.97
December	98.77	0.98	0.10	0.40	----------	1.28

[1] In addition, for each $100, or multiple thereof, between the face amount of Series G bonds submitted and the face amount of notes subscribed (to next higher multiple of $1,000) the subscriber must pay $100.15 ($99.75 issue price plus $0.40 accrued interest).

[2] The net amount to be paid to subscribers will be paid following acceptance of the bonds by the agency through which the exchange is made.

[3] Interest will be paid to January 1, 1960, on bonds maturing July 1, 1960, in regular course on January 1,1960, by checks mailed by the Treasury Department. As these checks will include unearned interest for the period from December 15, 1959, to January 1, 1960, each subscriber who tenders these bonds will be required to make an interest refund of $0.10 per $100 (face amount). The above amount in column 6 of $0.95 includes such refund.

2. Any qualified depositary will be permitted to make payment by credit in its Treasury Tax and Loan Account for any cash payments authorized or required to be made under this circular for notes allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

3. Series F and G bonds tendered in exchange must bear appropriate requests for payment in accordance with the provisions of Treasury Department Circular No. 530, Eighth Revision, as amended, or the special endorsements provided for in Treasury Department Circular No. 888, Revised. In any case in which notes in bearer form, or registered notes in another name, are desired, requests for payment must be supplemented by specific instructions signed by the owner who signed the request for payment. An owner's instructions for bearer or registered notes may be recorded on the surrendered bonds by typing or otherwise recording on the back thereof, or by changing the existing request for payment form to conform to, one of the two following forms:

(a) I am the owner of this bond and hereby request exchange for 4¾% Treasury Notes of Series A–1964 in bearer form to be delivered to (insert name and address of person to whom delivery is to be made).

(b) I am the owner of this bond and hereby request exchange for 4¾% Treasury Notes of Series A–1964 registered in the name of (insert exact registration desired—see section V, registration of notes).

V. *Registration of notes.* Treasury notes may be registered only as authorized in Treasury Department Circular No. 300, Revised, as supplemented. Registration in the name of one person payable on death to another is not authorized. Registered Treasury notes may be transferred to a purchaser only upon proper assignment. Treasury notes registered in the form "A or B" may be transferred only upon assignment by or on behalf of both, except that if one of them is deceased, an assignment by or on behalf of the survivor will be accepted. Treasury notes are not redeemable before maturity at the option of the owners, but they may be sold in the market at prevailing prices.

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes. Registered notes are expected to be available for delivery by December 15, 1959. However, should they not be printed by that date subscribers may upon specific request obtain an interim receipt pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-10039; Filed, Nov. 27, 1959; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Order E-14674; Docket Nos. 10977, 10982, 11001]

OFF-PEAK FARES BETWEEN KANSAS CITY AND LOS ANGELES

Order of Investigation

Adopted by the Civil Aeronautics Board at is office in Washington, D.C. on the 24th day of November 1959.

On behalf of Continental Air Lines, Inc. (Continental) proposed revisions have been filed to C. C. Squire's Local and Joint Passenger Rules Tariff, C.A.B. No. 43 (Rule 25(M)(2) on 6th Revised Page 18-D) and to C. C. Squire's Local and Joint Passenger Fares Tariff, C.A.B. No. 44 (6th Revised Page 104 and 7th Revised Page 104-A) to become effective November 25, 1959. Insofar as is here material, the effect of these changes would be to permit Continental with its dual configuration B-707 aircraft to charge "coach fares" in the forward (low density seating) compartment and "night coach fares" in the rear (high density seating) compartment between Kansas City and Los Angeles on certain flights when the departure in that segment is between the hours of 10:00 p.m and 3:59 a.m., and without any change in the fares for the other segments of the same flights.

On behalf of Trans World Airlines, Inc. (Trans World) similar revisions have been filed to C. C. Squire's Local and Joint Passenger Rules Tariff, C.A.B. No. 43, and to C. C. Squire's Local and Joint Passenger Fares Tariff, C.A.B. No. 44, to become effective November 27, 1959. The effect of these changes, insofar as is here material, would be to enable Trans World to charge the same fares as Continental proposes to establish.

Trans World in Docket 10977 has complained of Continental's proposed revisions and characterized its own revisions as "a precautionary defensive measure" which it will cancel "when those filed by Continental are found unlawful." Trans World requested suspension of both Continental's and its own proposals pending investigation.

American Airlines, Inc. (American) in Docket 10982 has complained of both Continental's and Trans World's proposed revisions "insofar as such provisions would permit application or combination of passenger fares for air transportation between Chicago and Los Angeles at levels lower than the currently applicable fares", and requested suspension pending investigation.

Continental has filed its answer to each complaint. We find Continental has not satisfied either complaint and there appear to be reasonable grounds for investigating the fares charged in both the higher density seating and lower density seating configurations between Kansas City and Los Angeles on flights departing in that segment between the hours of 10:00 p.m. and 3:59 a.m. Since United Air Lines, Inc. also publishes fares between Kansas City and Los Angeles, we will make United a party to this proceeding.

However, the tariff proposals by Continental and the subsequent tariff proposals by Trans World do not appear to contravene any rule the Board has heretofore issued nor are they imminently disruptive of existing fare structures either in this segment or elsewhere in the interstate air transportation system. During the investigation now instituted complainants will have the opportunity to substantiate their respective contentions but at this time the Kansas City-Los Angeles market is not shown to be so different from the Chicago-Washington or the Chicago-New York markets, for instance, as to persuade the Board these tariff proposals should be suspended pending conclusion of this investigation.

Pursuant to sections 204(a), 403, 404, and 1002 of the Federal Aviation Act of 1958; *It is ordered:*

1. That an investigation is instituted to determine whether the rates, fares, charges, rules, regulations, or practices for air transportation of passengers between Kansas City and Los Angeles on flights departing in that segment between the hours of 10:00 p.m. and 3:59 a.m. as now in effect and as presently proposed,[1] including revisions set forth in Rule 25(G)(2) on 3rd Revised Page 18-A and in Rule 25(M)(2) on 6th Revised Page 18-D of Agent C. C. Squire's Local and Joint Passenger Rules Tariff, C.A.B. No. 43, and revisions set forth on 6th Revised Page 104, 7th Revised Page 104-A, 13th Revised Page 270-B, and 4th Revised Page 270-D of Agent C. C. Squire's Local and Joint Passenger Fares Tariff, C.A.B. No. 44, are or will be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial; and to determine and prescribe rates, fares, or charges (or the maximum or minimum, or the maximum and minimum thereof) to be demanded, charged, collected, or received for such air transportation or the lawful rules, regulations, or practices affecting such rates, fares, or charges, or the value of the service thereunder, to be made effective.

2. That the complaints respectively filed by Trans World Airlines, Inc., and by American Airlines, Inc., in Dockets 10977 and 10982 are dismissed insofar as they request suspension of certain tariff proposals and, except as dismissed, are consolidated with the investigation hereby instituted.

[1] And also including fares between such points which may be proposed in subsequently revised or re-issued tariffs.

3. That the investigation hereby instituted shall be set for hearing at a time and place to be announced before a Hearing Examiner, and further proceedings herein shall be pursuant to 14 CFR Part 302, as amended. A copy of this order shall be served upon Trans World Airlines, Inc., American Airlines, Inc., Continental Air Lines, Inc., and United Air Lines, Inc., each of which is made a party herein. This order shall also be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 59-10047; Filed, Nov. 27, 1959; 8:49 a.m.]

[Docket 10968]

POLYNESIAN AIRLINES LTD.

Notice of Hearing

In the matter of the application of Polynesian Airlines Limited of Western Samoa for the issuance to the applicant of a foreign air carrier permit authorizing it to engage in foreign air transportation by operating scheduled and nonscheduled services between Western Samoa and American Samoa, in both directions, pursuant to Section 402 of the Federal Aviation Act of 1958.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that a hearing in the above-entitled proceeding is assigned to be held on December 21, 1959, at 10:00 a.m., e.s.t., in Room 1028, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Leslie G. Donahue.

Without limiting the scope of the issues, particular attention will be directed to whether the issuance to Polynesian Airlines Limited of a foreign air carrier permit is required by the public interest and whether Polynesian Airlines Limited is fit, willing, and able properly to perform the proposed foreign air transportation and to conform with the provisions of the Federal Aviation Act of 1958 and the rules, regulations and requirements of the Board thereunder.

Interested parties desiring further details regarding the issues in this proceeding are referred to the application and to the Examiner's report of the prehearing conference which are on file in the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding shall file with the Board, on or before December 17, 1959, a statement setting forth the issues of fact or of law which he desires to controvert.

Dated at Washington, D.C., November 23, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-10048; Filed, Nov. 27, 1959; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12414 etc., FCC 59M-1578]

ALKIMA BROADCASTING CO. ET AL.

Order Continuing Hearing

In re applications of Austin E. Harkins, John P. Weis, Ned Goode, Lila W. Goode, Charles E. Lucas, Jr., and Marshall L. Jones, d/b as Alkima Broadcasting Company, West Chester, Pennsylvania, Docket No. 12414, File No. BP-10640; Herman Handloff, Newark, Delaware, Docket No. 12711, File No. BP-12190; Howard Wasserman, West Chester, Pennsylvania, Docket No. 12712, File No. BP-12208; for construction permits.

The Hearing Examiner having under consideration a "Petition for Continuance of Hearing" filed by counsel for Herman Handloff on November 23, 1959, which Petition requests that the hearing now scheduled for November 24, 1959 be continued to January 12, 1960, and

It appearing that the parties are consummating a settlement of the proceeding which, it is alleged, would expedite the establishment of additional broadcast service in the West Chester-Newark area, and

It further appearing that all counsel, including counsel for the Broadcast Bureau, consent to the granting of the Petition and for its immediate consideration,

It is ordered, This 23d day of November 1959, that the aforementioned Petition is granted, and the hearing date is accordingly changed from November 24, 1959, to 9:00 a.m., January 12, 1960, the hearing to take place in the Commission's offices in Washington, D.C.

Released: November 24, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-10049; Filed, Nov. 27, 1959; 8:49 a.m.]

[Docket No. 12544; FCC 59M-1574]

BAY AREA ELECTRONIC ASSOCIATES

Order Scheduling Prehearing Conference

In re application of John F. Egan and Robert Sherman, d/b as Bay Area Electronic Associates, Santa Rosa, California, Docket No. 12544, File No. BP-11319; for construction permit.

Pursuant to agreement of counsel: *It is ordered,* This 23d day of November 1959, that a further hearing conference in the above-entitled proceeding will be held at the offices of the Commission in Washington, D.C., on December 2, 1959, at 10 a.m., to discuss the procedure to be followed in the further hearing in the proceeding.

Released: November 23, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-10050; Filed, Nov. 27, 1959; 8:49 a.m.]

[Docket Nos. 13218, 13219; FCC 59M-1576]

BILL S. LAHM AND TOMAH-MAUSTON BROADCASTING CO., INC. (WTMB)

Order Continuing Hearing

In re applications of Bill S. Lahm, Wisconsin Rapids, Wisconsin, Docket No. 13218, File No. BP-12315; The Tomah-Mauston Broadcasting Company, Incorporated (WTMB), Tomah, Wisconsin, Docket No. 13219, File No. BP-13107; for construction permits.

The Hearing Examiner having under consideration the procedure to be followed in the above-entitled matter which is scheduled for hearing on December 29, 1959;

Now therefore, it is ordered, This 23d day of November 1959, pursuant to § 1.111 of the Commission's rules, that the parties or their attorneys shall appear at the offices of the Commission in Washington, D.C. at 10:00 a.m. on Wednesday, January 6, 1960, for a prehearing conference to consider:

1. The necessity or desirability of simplification, clarification, amplification, or limitation of the issues;
2. The possibility of stipulating with respect to facts;
3. The procedures to be followed prior to and at the hearing;
4. The limitation of the number of witnesses;
5. The procedures and schedules for the prior mutual exchange between the parties of prepared testimony and exhibits; and
6. Such other matters as may aid in the disposition of this proceeding; and

It is further ordered, That the hearing now scheduled to be commenced on December 29, 1959, is continued to a date to be fixed by subsequent order.

Released: November 24, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-10051; Filed, Nov. 27, 1959; 8:49 a.m.]

[Docket No. 13177; FCC 59M-1575]

B. L. McDOWELL

Order Continuing Hearing

In the matter of B. L. McDowell, P.O. Box 325, Freeport, Texas, Docket No. 13177; order to show cause why there should not be revoked the license for Ship Radio Station WD-8355 aboard the Vessel "Bert H. Walling III."

The Hearing Examiner having under consideration a "Motion to Continue Proceeding" filed by the Chief, Safety and Special Radio Services Bureau, on November 20, 1959, requesting that the hearing in the above-entitled matter presently scheduled for November 24, 1959, in Washington, D.C., be continued to December 24, 1959;

It appearing that on November 16, 1959, the Commission addressed a letter to the respondent requesting additional information from him, and that a continuance of the hearing date is necessary in order to afford the respondent sufficient time within which to reply to the Commission's request;

Accordingly, it is ordered, This 23d day of November 1959, that the "Motion to Continue Proceeding" filed by the Chief, Safety and Special Radio Services Bureau, be, and the same is, hereby granted, and that the hearing in the above-entitled matter presently designated for November 24, 1959, be, and the same is, hereby continued to December 24, 1959, in Washington, D.C.

Released: November 23, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-10052; Filed, Nov. 27, 1959; 8:49 a.m.]

[Docket No. 13152; FCC 59M-1577]

RED'S TAXI

Order Continuing Hearing

In the matter of George A. Wells, d/b as Red's Taxi, 208 North Lincoln, Port Angeles, Washington, Docket No. 13152; order to show cause why there should not be revoked the license for Taxicab Radio Station KOB-620.

The Hearing Examiner having under consideration a "Motion to Continue Proceeding" filed November 20, 1959, by the Commission's Safety and Special Radio Services Bureau, which Motion requests that the hearing now scheduled for November 25, 1959, be continued to December 18, 1959, and

It appearing that the Bureau is in correspondence with the respondent and that considerable additional time will be necessary to complete the correspondence, and that good cause has been shown for the requested continuance,

It is ordered, This 23d day of November 1959, that the aforementioned Motion is granted, and the hearing date is accordingly changed from November 25, 1959, to December 18, 1959, the hearing to take place in the Commission's offices in Washington, D.C.

Released: November 24, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-10053; Filed, Nov. 27, 1959; 8:50 a.m.]

[Docket No. 13254, FCC 59M-1582]

SANTA ROSA BROADCASTING CO.

Order Rescheduling Hearing

In re application of Santa Rosa Broadcasting Company, Santa Rosa, California, Docket No. 13254, File No. BP-11573; for construction permit.

A prehearing conference having been held today: *It is ordered,* This 23d day of November 1959, that:

1. The hearing now scheduled for January 4, 1960, is rescheduled for Thursday, December 17, 1959, at 9:30 a.m., in the offices of the Commission, Washington, D.C.

2. The direct affirmative case of the applicant shall be in writing. On or before December 9, 1959, applicant shall furnish its written case and exhibits to the Broadcast Bureau and the Hearing Examiner.

3. On or before December 14, 1959, the Broadcast Bureau shall notify applicant and the Hearing Examiner of the witnesses it desires for cross-examination.

Released: November 24, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-10054; Filed, Nov. 27, 1959; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-20201]

BRADLEY EMPIRE CORP.

Order Providing for Hearing, and Suspending Proposed Revised Tariff Sheet

NOVEMBER 20, 1959.

On October 23, 1959, Bradley Empire Corporation (Bradley) tendered for filing Sixth Revised Sheet No. 5 to its FPC Gas Tariff Original Volume No. 1, wherein Applicant proposes an annual increase of about $12,800 in its rates and charges for jurisdictional sales of natural gas to Empire Gas and Fuel Company, Ltd.

Bradley states that the increase is necessitated solely by an increase in rates proposed by New York State Natural Gas Corporation, which supplies about 82 percent of Bradley's requirements. Bradley does not request any specific effective date, but rather requests that any suspension of the said filing end when the rates of New York State Natural Gas Corporation now under suspension until November 30, 1959, in Docket No. G-19087 become effective.

The change in rates and charges proposed by Bradley in Sixth Revised Sheet No. 5 to its FPC Gas Tariff, Original Volume No. 1 has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a public hearing concerning the lawfulness of the rates, charges, classifications, and services contained in Bradley's FPC Gas Tariff Original Volume No. 1, as proposed to be amended by Sixth Revised Sheet No. 5 and that said proposed revised tariff sheet and the rates contained therein be suspended and the use thereof deferred as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. 1), a public hearing be held on a date to be fixed by notice from the Secretary concerning the lawfulness of the rates, charges, classifications, and services contained in Bradley's FPC Gas Tariff Original Volume No. 1 as proposed to be amended by Sixth Revised Sheet No. 5.

(B) Pending such hearing and decision thereon Sixth Revised Sheet No. 5 to Bradley's FPC Gas Tariff Original Volume No. 1 is suspended and the use thereof deferred until November 30, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by § 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-10020; Filed, Nov. 27, 1959; 8:45 a.m.]

[Docket No. G-15063, etc.]

EL PASO NATURAL GAS CO. ET AL.

Notice of Applications, Consolidation and Date of Hearing

NOVEMBER 23, 1959.

In the matters of El Paso Natural Gas Company, Docket No. G-15063; Phillips Petroleum Company, Docket No. G-14841; Tennessee Gas Transmission Company, Docket Nos. G-16987, G-18806.

El Paso Natural Gas Company (El Paso) on May 7, 1958, filed an application in Docket No. G-15063 and Phillips Petroleum Company (Phillips) on April 7, 1958, filed an application in Docket No. G-14841, on both of which notice was issued August 13, 1958, and published in the FEDERAL REGISTER on August 20, 1958 (23 F.R. 6384).

Take notice that on November 17, 1958, Tennessee Gas Transmission Company (Tennessee) filed in Docket No. G-16987 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale of natural gas in interstate commerce from certain specified leases in the West Eidson area (Kemnitz-Wolfcamp Pool), Lea County, New Mexico to Phillips, and on June 16, 1959, Tennessee filed in Docket No. G-18806 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale of natural gas in interstate commerce from the State "D" NM 257 Lease in the Kemnitz-Wolfcamp area, Lea County, New Mexico to Phillips, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

The aforesaid sales will be made pursuant to a casinghead gas sales contract dated November 3, 1958, as amended on April 27, 1959 (Tennessee Gas Transmission Company Rate Schedule No. F-41). Facilities involved consist of customary lease equipment. Proposed deliveries will be made at wellhead. The contract term extends to the expiration of the leases.

Phillips will purchase the gas produced by Tennessee in the subject field for resale to El Paso which will then transport the gas commingled with its other gas supplies for interstate sale.

On October 3, 1958, temporary authorizations were granted to Phillips in Docket No. G-14841 to sell gas from the subject area to El Paso and to El Paso in Docket No. G-15063 to construct and operate the facilities required to enable it to take such gas. On January 21, 1959, temporary authorization was granted to Tennessee to sell gas to Phillips as proposed in Docket No. G-16987, and on August 10, 1959, temporary authorization was granted to Tennessee to sell gas to Phillips as proposed in Docket No. G-18806.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on December 23, 1959 at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 14, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-10021; Filed, Nov. 27, 1959; 8:45 a.m.]

[Docket No. E-6909]

GULF STATES UTILITIES CO.

Notice of Application

NOVEMBER 20, 1959.

Take notice that on November 12, 1959, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Gulf States Utilities Company ("Applicant"), a corporation organized under the laws of the State of Texas and doing business in the States of Texas and Louisiana, with its principal business office at Beaumont, Texas, seeking an order authorizing the issuance of up to an aggregate principal amount of $20,000,000 of unsecured notes. Applicant has entered into agreements with Irving Trust Company, New York, New York and the Chase Manhattan Bank, New York, New York, both dated October 19, 1959, under which Applicant may borrow at any time and from time to time during the period January 1, 1960 to December 31, 1960, inclusive, up to an aggregate principal amount of $20,000,000 on unsecured notes which mature on December 31, 1960. Applicant will pay interest at a rate equal to lenders' prime rate in effect at the time of each borrowing. The purpose for which the notes are to be issued is to finance in part Applicant's construction program in 1960, presently estimated to require $43,000,000 during such year, together with providing for other corporate requirements.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 7th day of December 1959, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-10022; Filed, Nov. 27, 1959; 8:46 a.m.]

[Docket No. G-20110]

HONAKER-DAVIS DRILLING CO. ET AL.

Order for Hearing and Suspending Proposed Changes in Rates

NOVEMBER 23, 1959.

Honaker-Davis Drilling Company (Operator), et al. (Honaker-Davis) on October 30, 1959, tendered for filing five proposed changes in its presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute an increased rate and charge of 1.0 cent per Mcf, from 12.0 cents to 13.0 cents per Mcf at 14.65 psia, are contained in the following designated filings:

Description: Notices of Change, Undated.
Purchaser: Cities Service Gas Company.
Producing areas: (1) Elsea Field, Barber County, Kans. (2) Aetna Field, Barber County, Kans. (3), (4) and (5) South Rhodes Field, Barber County, Kans.
Rate schedule designations: (1) Supplement No. 1 to Honaker-Davis' FPC Gas Rate Schedule No. 1. (2) Supplement No. 1 to Honaker-Davis' FPC Gas Rate Schedule No. 2. (3) Supplement No. 1 to Honaker-Davis' FPC Gas Rate Schedule No. 3. (4) Supplement No. 1 to Honaker-Davis' FPC Gas Rate Schedule No. 4. (5) Supplement No. 1 to Honaker-Davis' FPC Gas Rate Schedule No. 5.
Effective date: December 23, 1959 (effective date is that proposed by Honaker-Davis).

In support of the proposed periodic-increased rates, Honaker-Davis states that the increases are provided for by contract and lists the gross investments in the properties involved and the net working-interest incomes for the period December 23, 1958, to August 23, 1959. In addition Honaker-Davis states that the proposed rates are necessary to give it some relief from the extremely long payout periods.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that Supplement No. 1 to Honaker-Davis' FPC Gas Rate Schedule Nos. 1, 2, 3, 4, and 5 respectively, be suspended and use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary, concerning the lawfulness of the proposed increased rates and charges contained in Supplement No. 1 to Honaker-Davis' FPC Gas Rate Schedule Nos. 1, 2, 3, 4, and 5, respectively.

(B) Pending such hearing and decision thereon, said supplements be and they each are hereby suspended and the use thereof deferred until December 24, 1959, and thereafter until such further time as each is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR, 1.8 and 1.37(f)).

By the Commission (Commissioner Kline dissenting).

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-10023; Filed, Nov. 27, 1959; 8:46 a.m.]

[Docket No. G-18257]

PACIFIC NORTHWEST PIPELINE CORP.

Notice of Application and Date of Hearing

NOVEMBER 23, 1959.

Take notice that Pacific Northwest Pipeline Corporation (Applicant), a Delaware corporation with its principal office in Salt Lake City, Utah, filed a budget-type application for a certificate of public convenience and necessity on April 8, 1959, and a supplement and an amendment thereto filed June 10, and July 13, 1959, respectively, pursuant to section 7 of the Natural Gas Act authorizing the construction and operation during the calendar year 1959 of certain facilities to enable Applicant to attach new gas supplies from certain independent producers. Applicant proposes to construct the following described facilities:

Approximately 15 miles of field lines together with related line taps and metering facilities.

Applicant states the proposed facilities will enable it to take into its certificated main pipeline system, natural gas which will be purchased from producers in the general area of its existing transmission system from time to time during the calendar year 1959 at a total cost not in excess of $374,000, exclusive of any facilities to be constructed by Applicant pursuant to certificate authorizations heretofore issued by the Commission and as may be issued hereafter in any pending certificate applications.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on December 16, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 11, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the

intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-10024; Filed, Nov. 27, 1959; 8:46 a.m.]

[Docket No. G-18807]

T. N. & L. W. TANZEY

Notice of Application and Date of Hearing

NOVEMBER 23, 1959.

Take notice that T. N. & L. W. Tanzey (Applicant), with a principal place of business in Harrisville, West Virginia, filed an application in Docket No. G-18807 on June 17, 1959, pursuant to section 7(b) of the Natural Gas Act, for authorization to abandon service to Hope Natural Gas Company (Hope) from the L. W. Tanzey, et ux. Lease in Murphy District, Ritchie County, West Virginia, covered by a gas sales contract dated December 8, 1922, as amended, between Coe Oil & Gas Company,[1] seller, and Hope, buyer, on file as T. N. & L. W. Tanzey FPC Gas Rate Schedule No. 1, as supplemented; all as more fully described in the application on file with the Commission and open to public inspection.

Applicant states that the volume of gas available for delivery under the subject contract has declined to a point where it is no longer economically feasible to continue the operation and Hope has issued its notice of cancellation pursuant to Article XI of the contract, with notice, a letter dated June 8, 1959, is incorporated in Tanzey's application.

Applicant was authorized on April 11, 1955, in Docket No. G-5401 to render to Hope the service herein proposed to be abandoned.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on December 15, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 130(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

[1] Coe Oil & Gas Company, a partnership consisting of Geo. T. Coe, R. G. Harman, Louis Lombard, H. A. Odell, and C. C. Coe, assigned the subject acreage to Tanzey by instrument of assignment dated September 2, 1947.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 11, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-10025; Filed, Nov. 27, 1959; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 227]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 24, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 62698. By order of November 19, 1959, the Transfer Board approved the transfer to Francis G. Flynn, doing business as Glueck Trucking Co., West New York, New Jersey, of a certificate in No. MC 38880, issued January 13, 1958 to Cyril J. Robbins and Francis G. Flynn, a partnership, doing business as Glueck Trucking Co., West New York, New Jersey, authorizing the transportation of specified commodities, from, to, and between specified points in New York and New Jersey. August W. Heckman, 880 Bergen Avenue, Jersey City 6, New Jersey.

No. MC-FC 62701. By order of November 19, 1959, the Transfer Board approved the transfer to H. L. Cramer, Sioux Falls, S. Dak., of Certificate No. MC 116090 issued June 22, 1959, in the name of Kenneth B. Miller, Sioux Falls, S. Dak., authorizing the transportation of agricultural machinery and implements, agricultural machinery and implements parts when moving with the machines or implements on which they are to be installed, and agricultural tractors, from Sioux Falls, S. Dak., to points in Lyon, Osceola, Sioux, O'Brien, Plymouth, and Cherokee Counties, Iowa, and Chippewa, Big Stone, Lac que Parle, Swift, Yellow Medicine, Lincoln, Lyon, Pipestone, Murray, Nobles, and Rock Counties, Minn., with no transportation for compensation on return except as otherwise authorized. H. L. Lewis, P.O. Box 747, Sioux Falls, S. Dak., for applicants.

No. MC-FC 62706. By order of November 19, 1959, the Transfer Board approved the transfer to Lorne E. Ayer, Jr., doing business as Ayer's Express, 41 Greenfield Avenue, Warwick, Rhode Island, of the operating rights in Certificate No. MC 79019, issued by the Commission April 14, 1942, to Lorne E. Ayer, doing business as Ayer's Express, 69 Social Drive, Warwick, Rhode Island, authorizing the transportation, over irregular routes, of general commodities, excluding household goods and commodities in bulk, and other specified commodities, between points in Rhode Island and Massachusetts within 10 miles of Providence, R.I., including Providence.

No. MC-FC 62721. By order of November 18, 1959, the Transfer Board approved the transfer to Joseph L. Ward, doing business as Gunn Transfer Company, St. Louis, Missouri, of a Certificate in No. MC 69853 issued October 1, 1959, to Neal McCabe, doing business as Gunn Transfer Company, St. Louis, Missouri, authorizing the transportation of general commodities, excluding household goods, as defined by the Commission, commodities in bulk, and specified commodities, between points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone, as defined by the Commission, and specified commodities, from, to, and between, specified points in Missouri and Illinois. Austin C. Knetzger, 722 Chestnut Street, St. Louis 1, Missouri.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 59-10029; Filed, Nov. 27, 1959; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order 2844]

DIRECTOR, BUREAU OF LAND MANAGEMENT

Delegation of Authority To Negotiate Contract for Personal or Professional Services

NOVEMBER 20, 1959.

SECTION 1. *Delegation.* The Director, Bureau of Land Management, is authorized subject to the provisions of section 2 of this order, to exercise the authority delegated by the Administrator of General Services to the Secretary of the Interior (24 F.R. 1921) to negotiate, without advertising, under section 302(c)(4) of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 252 et seq.), a contract for professional engineering services for the stereotriangulation of about 95 models in 7 flights for determination of machine coordinates of about 1200 photoidentifiable points. The project is known as the Sheep Mountain Cadastral Survey Project, Group 89, Alaska.

SEC. 2. *Exercise of authority.* The authority delegated by section 1 of this order shall be exercised in accordance with

the applicable limitations in the Federal Property and Administrative Services Act of 1949, as amended, and in accordance with applicable policies, procedures and controls prescribed by the General Services Administration and the Department of the Interior. The authority delegated by this order does not include authority to make advance payments under section 305 of the act.

SEC. 3. *Redelegation.* The Director, Bureau of Land Management may, in writing, redelegate or authorize written redelegation of the authority granted in section 1 of this order to a subordinate official or employee. The redelegation of this authority shall be published in the FEDERAL REGISTER.

FRED A. SEATON,
Secretary of the Interior.

[F.R. Doc. 59-10028; Filed, Nov. 27, 1959; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

ANNUAL SURVEYS IN MANUFACTURING AREA

Notice of Consideration

Notice is hereby given that the Bureau of the Census is considering a proposal to conduct the annual surveys covering 1959 listed below, under the authority of Title 13, United States Code, section 181 approved August 31, 1954. These surveys are significant in the manufacturing area and on the basis of information and recommendations received by the Bureau of the Census, the data have significant application to the needs of the public and industry and are not available from non-Governmental or other Governmental sources.

The establishments covered by these surveys directly employ about 17 million persons. The information to be developed from these surveys is necessary to an adequate measurement of total industrial production. Government agencies need data on the output of these industries. Manufacturers in the industries involved, as well as their suppliers and customers and the general public, have all requested such data in the interest of business efficiency and stability.

Such surveys, if conducted, shall begin not earlier than 30 days after publication of this notice in the FEDERAL REGISTER.

Report forms in most instances furnishing data on shipments and/or production and in some instances on stocks, unfilled orders, orders booked, consumption, etc., will be required of all establishments engaged in the production of the items covered by the following list of surveys with the exception of the Annual Survey of Manufacturers which will be conducted on a sample basis and which calls for general statistical data such as employment, payroll, man-hours, capital expenditures, cost of materials consumed, etc., in addition to information on value of products shipped and quantity data for selected classes of products, and the lumber production and stocks survey which will also be conducted on a sample basis.

ANNUAL SURVEY OF MANUFACTURES

Stocks of wool (as of Jan. 1, 1960).
Cotton and synthetic woven goods finished.
Knit cloth.
Woolen and worsted machinery activity.
Yarn production.
Gloves and mittens.
Apparel.
Softwood plywood.
Softwood veneer.
Red cedar shingles.
Lumber.
Paper and board-detailed grade.
Sulfuric acid.
Compressed and liquefied gases.
Inorganic chemicals.
Pressed and blown glassware.
Steel mill products.
Aluminum foil converted.
Steel power boilers.
Heating and cooking equipment.
Internal combustion engines.
Tractors.
Farm machines and equipment.
Radios, televisions, and phonographs.
Mechanical stokers.
Vending machines.
Refrigeration equipment.
Office, computing, and accounting machines.

The following list of surveys represents annual counterparts of monthly, quarterly, and semi-annual surveys. The content of these annual reports will be identical with that of the monthly, quarterly, and semi-annual reports except for Construction Machinery which will additionally call for data on shipments of concrete mixers and parts and attachments for contractors' off-highway type tractors. However, there will be no duplication inasmuch as establishments that file the monthly, quarterly, and semi-annual reports during the year covered by the annual report will not need to submit annual reports on these products.

Flour milling products.
Confectionery products.
Broad woven goods (cotton, wool, silk, and synthetic).
Consumption of wool and other fibers, and production of tops and noils.
Shoes and slippers.
Hardwood plywood (for sale).
Pulp, paper, and board.
Consumers of wood pulp.
Mattresses and bedsprings.
Converted flexible packaging products.
Superphosphate.
Paint, varnish, and lacquer.
Refractories.
Clay construction products.
Asphalt and tar roofing and siding products.
Glass containers.
Nonferrous castings.
Plumbing fixtures.
Steel shipping barrels, drums, and pails.
Commercial and home canning closures.
Metal cans.
Construction machinery.
Farm pumps.
Fans, blowers, and unit heaters.
Electric lamps.
Fluorescent lamp ballasts.
Complete aircraft and aircraft engines.
Backlog of orders for aircraft companies.
Aircraft propellers.

Copies of the proposed forms are available on request to the Director, Bureau of the Census, Washington 25, D.C.

Any suggestions or recommendations concerning the subject matter of these proposed surveys should be submitted in writing to the Director of the Census and will receive consideration.

ROBERT W. BURGESS,
Director,
Bureau of the Census.

[F.R. Doc. 59-10043; Filed, Nov. 27, 1959; 8:48 a.m.]

RETAILERS' INVENTORIES, SALES, NUMBER OF STORES

Notice of Consideration for Surveys

Notice is hereby given that the Bureau of the Census is considering a proposal to conduct a 1959 Annual Retail Trade Survey of year-end inventories, annual sales, and number of retail stores operated as of the end of the year, under the provisions of the Act of Congress approved August 31, 1954, 13 U.S.C. 181, 224, and 225. This survey will provide the only continuing source of important information on total sales by region, inventories, and number of retail stores operated. On the basis of information and recommendations received by the Bureau of the Census, the data will have significant application to the needs of the public, the distributive trades, and governmental agencies, and are not publicly available from nongovernmental or other governmental sources.

Such survey, if conducted, shall begin not earlier than 30 days after the publication of this notice in the FEDERAL REGISTER.

Reports will be required only from a selected sample of retail establishments in the United States. The sample will provide, with measurable reliability, statistics on the subjects specified above. Reports will be requested from sampled stores on the basis of their sales, size and/or location in Census Sample Areas. A group of the largest firms, in terms of number of retail stores operated, will be requested to report for all stores regardless of their locations.

Copies of the proposed forms and a description of the collection methods are available on request to the Director, Bureau of the Census, Washington 25, D.C. Any suggestions or recommendations concerning the subject matter of the proposed survey should be submitted in writing to the Director of the Bureau of the Census and will receive consideration.

ROBERT W. BURGESS,
Director,
Bureau of the Census.

[F.R. Doc. 59-10044; Filed, Nov. 27, 1959; 8:48 a.m.]

DISTRIBUTORS' STOCKS OF CANNED FOOD

Notice of Consideration for Surveys

Notice is hereby given that the Bureau of the Census is considering a proposal to conduct an annual survey of inventories covering 32 canned and bottled products, including vegetables, fruits, juices, and fish as of December 31, 1959, under the provisions of the act of Con-

gress approved August 31, 1954, 13 U.S.C. 181, 224, and 225. This survey will provide the only continuing source of information on stocks of the specified canned foods held by wholesalers and in warehouses of retail multiunit organizations.

On the basis of information received by the Bureau of the Census, these data will have significant application to the needs of the public, industry and the distributive trades, and governmental agencies and are not publicly available from nongovernmental or other governmental sources.

Such survey, if conducted, shall begin not earlier than 30 days after publication of this notice in the FEDERAL REGISTER.

Reports will not be required from all firms but will be limited to a scientifically selected sample of wholesalers and retail multiunit organizations handling canned foods, in order to provide year-end inventories of the specified canned food items with measurable reliability. These stocks will be measured in terms of actual cases with separate data requested for "all sizes smaller than No. 10" and for "sizes No. 10 or larger."

Copies of the proposed forms and a description of the collection methods are available upon request to the Director, Bureau of the Census, Washington 25, D.C.

Any suggestions or recommendations concerning the subject matter of this proposed survey should be submitted in writing to the Director of the Census and will receive consideration.

ROBERT W. BURGESS,
Director,
Bureau of the Census.

[F.R. Doc. 59-10045; Filed, Nov. 27, 1959, 8:49 a.m.]

Office of the Secretary

EDWARD ABBOTT

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of the last six months:

A. Deletions: No change.
B. Additions: No change.

This statement is made as of November 18, 1959.

Dated: November 18, 1959.

EDWARD ABBOTT.

[F.R. Doc. 59-10035; Filed, Nov. 27, 1959; 8:47 a.m.]

JULIEN R. STEELMAN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of the last six months:

A. Deletions: No changes.
B. Additions: No changes.

This statement is made as of November 14, 1959.

Dated: November 14, 1959.

JULIAN R. STEELMAN.

[F.R. Doc. 59-10036; Filed, Nov. 27, 1959; 8:47 a.m.]

WILLIAM E. VAUGHN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of the last six months:

A. Deletions: No change.
B. Additions: No change.

This statement is made as of November 18, 1959.

Dated November 18, 1959.

WILLIAM E. VAUGHN.

[F.R. Doc. 59-10037; Filed, Nov. 27, 1959; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-141]

BOARD OF TRUSTEES OF LELAND STANFORD JUNIOR UNIVERSITY

Notice of Issuance of Construction Permit

Please take notice that no request for a formal hearing having been filed following the filing of notice of proposed action with the Office of the Federal Register on November 4, 1959, the Atomic Energy Commission has issued Construction Permit No. CPRR-46 to the Board of Trustees of the Leland Stanford Junior University authorizing construction of a 10-kilowatt pool-type nuclear reactor facility on the University's campus near Palo Alto, California.

The notice of proposed action, published in the FEDERAL REGISTER on November 5, 1959, 24 F.R. 9027, indicated that the licensee would be Stanford University. It was subsequently determined that The Board of Trustees of the Leland Standford Junior University is the proper legal entity to receive the construction permit.

Dated at Germantown, Md., this 20th day of November 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 59-10015; Filed, Nov. 27, 1959; 8:45 a.m.]

[Docket No. 50-123]

CURATORS OF UNIVERSITY OF MISSOURI, SCHOOL OF MINES AND METALLURGY

Notice of Issuance of Construction Permit

Please take notice that no request for a formal hearing having been filed following the filing of notice of the proposed action with the Office of the Federal Register on November 4, 1959, the Atomic Energy Commission has issued Construction Permit No. CPRR-44 authorizing The Curators of the University of Missouri, School of Mines and Metallurgy to construct a pool-type nuclear reactor designed to operate at a thermal power of 10 kilowatts on its campus in Rolla, Missouri. Notice of the proposed action was published in the FEDERAL REGISTER on November 5, 1959, 24 F.R. 9028.

Dated at Germantown, Md., this 20th day of November 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 59-10016; Filed, Nov. 27, 1959; 8:45 a.m.]

[Docket No. CA-92]

HARPER ENGINEERING CO.

Order for Hearing on Motion To Dismiss

On September 24, 1959, The Regents of the University of California filed a Motion herein for a designation of the real party in interest and for a dismissal for failure of applicant, Harper Engineering Company, to present this case as stipulated on February 25, 1959. On October 2, and on October 22, 1959, orders were entered providing a time, as extended, for answer to said Motion to and including December 3, 1959.

This case has been delayed unnecessarily for failure of applicant to submit evidence within the time and in the manner of complete direct presentation as stipulated.

Wherefore, it is ordered, That a hearing shall be held at 3:00 p.m. on the 3d day of December 1959, in the Courtroom of the United States Customs Court, U.S. Appraiser's Building, 630 Sansome Street, San Francisco, California, respecting the aforesaid Motion filed by The Regents of the University of California, and the answer or answers, if any, which may be filed thereto.

Issued: November 18, 1959, Germantown, Md.

SAMUEL W. JENSCH,
Hearing Examiner.

[F.R. Doc. 59-10017; Filed, Nov. 27, 1959; 8:45 a.m.]

[Docket No. CA-127; Contract No. AT(45-1) 78]

HOFFMAN CONSTRUCTION CO.

Notice of Prehearing Conference

Take notice that a prehearing conference in the above designated cause will be held in a Hearing Room to be assigned in the United States District Court, Federal Building, Fifth Avenue and Spring Street, Seattle, Washington, at 9:00 a.m. on December 1, 1959 for the consideration of a specification of issues, evidence that may be stipulated and such other and related matters as will expedite the hearing and consideration of this appeal.

Issued: November 18, 1959, Germantown, Md.

SAMUEL W. JENSCH,
Hearing Examiner.

[F.R. Doc. 59-10018; Filed, Nov. 27, 1959; 8:45 a.m.]

[Docket No. 50-4]

NAVAL RESEARCH LABORATORY

Notice of Issuance of Construction Permit

Please take notice that no request for a formal hearing having been filed following the filing of notice of proposed action with the Office of the Federal Register on November 4, 1959, the Atomic Energy Commission has issued Construction Permit No. CPRR-47 authorizing Naval Research Laboratory to modify the Naval Research Reactor to permit operation at power levels up to 1000 KW for extended periods of time in Washington, D.C. Notice of the proposed action was published in the FEDERAL REGISTER on November 5, 1959, 24 F.R. 9027.

Dated at Germantown, Md., this 20th day of November 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 59-10019; Filed, Nov. 27, 1959; 8:45 a.m.]

CUMULATIVE CODIFICATION GUIDE—NOVEMBER

A numerical list of parts of the Code of Federal Regulations affected by documents published to date during November. Proposed rules, as opposed to final actions, are identified as such.

3 CFR

	Page
Proclamations:	
2112	9389
3324	8961
3325	9185
Executive orders:	
Apr. 3, 1847	9389
Dec. 9, 1852	9389
July 9, 1875	9219
May 4, 1907	9474
10355	9219
10787	9488
Presidential documents other than proclamations and Executive orders:	
Order, Nov. 24, 1959	9505

5 CFR

	Page
6	9124, 9185, 9187, 9303, 9327, 9359, 9383
24	9076
325	9255
601	8921

6 CFR

	Page
10	9527
331	9257, 9362, 9465
341	9413
361	9071
364	9327
366	9071, 9074
421	9187, 9327, 9383
443	9039
446	9329
464	9119, 9257
474	9329
483	8993
484	8995
485	9044, 9075, 9076, 9285
502	9187

7 CFR

	Page
11	9467
29	9121, 9530
51	8961
52	9045
55	9505
301	9536
319	9359
354	9329
401	9121, 9122, 9285
725	8995, 9467
728	9536
730	9122
815	8964
842	9507
857	9285
903	9047
905—908	9047
911—912	9047
913	9047, 9303, 9538
914	9048, 9079, 9188, 9258, 9361, 9385, 9468, 9508, 9539
916—919	9047
921	9047
922	9188
923—925	9047
928—932	9047
933	9259-9261, 9539-9541
935	9047
938	9080
941—944	9047
946	9047
948—949	9047
952	9047
953	8934, 9080, 9261, 9385, 9542
954	9047
955	9305
956	9047
958	9048
959	9362
963	9047, 9542
965—968	9047
969	9123, 9262, 9385
971—972	9047
974—978	9047
980	9047
982	9047
984	9262
985—988	9047
991	9047
994—995	9047
997	9123
998	9047
1000	9047
1002	9047
1004	9047
1005	9047, 9468
1008—1009	9047
1011—1014	9047
1015	9049
1016	9047
1018	9047
1023	9047
1103	8964
Proposed rules:	
26	9547
29	9014, 9308
46	9147
47	8974
52	9206
813	9206
909	9308
914	8935
924	8935
930	9430
942	9340
961	9166, 9309
965	9430
972	9157
989	9311
1002	9020
1009	9020
1010	9166
1025	8935
1027	9441

9 CFR

	Page
18	9415
77	9469
78	9080
Proposed rules:	
74	9238
131	9084

10 CFR

	Page
2	9330
9	9330

12 CFR

	Page
541	9233
544	8971
545	9049, 9233
555	9415
561	9050
570	9417
Proposed rules:	
545	9402

13 CFR

	Page
121	9329
Proposed rules:	
121	9347

14 CFR

	Page
20	9362
42	9365